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इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as  
a separate compilation

## भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएँ  
Statutory Orders and Notifications issued by the Ministries of the Government of India (other than  
the Ministry of Defence)

### केन्द्रीय उत्पाद कर बोर्ड

नई दिल्ली 19 मई 1987

का प्रा 2101—आयकर अधिनियम 1961 (1961 का 43)  
की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में पूर्ववर्ती अधिसूचनाओं का अधिलेखन करते हुए, केन्द्रिय प्रत्यक्ष कर बोर्ड एतद्वारा निदेश देता है कि नीचे दी गई अनुसूची के अन्तर्भ (2) के विविष्टि रेजो के अंग्रेजीय मध्यक आयकर आयुक्त आयुक्त ने निर्धारित उन सभी व्यक्तियों और प्राय का छोड़कर, जो आयकर आयुक्त (अपील) के धोखाधिका में निहित है उक्त अनुसूची के अन्तर्भ 3 की तत्संबंधी प्रविष्टि में विनिर्दिष्ट आयकर परिमण्डलों, वार्डों और जिलों में आयकर में निर्णयिता सभी व्यक्तियों और प्राय के संबंध में अपन कार्य करेंगे।

अनुसूची

क्रम सं. रेज. आयकर परिमण्डल वार्ड और जिला

(1) (2) (3)

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1 अपीलीय सहायक आयुक्त  
अहमदाबाद रेज-1  
अहमदाबाद

1 परिमण्डल-1 अहमदाबाद

4 अपीलीय सहायक आयुक्त  
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अहमदाबाद।

1 परिमण्डल-IV अहमदाबाद  
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मपदा शुल्क एवं आयकर  
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1 2  
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4 इलाहाबाद स्थित कर्टे भी  
परिमण्डल अथवा वार्ड  
जा विनिर्दिष्ट रूप से  
इस आदेश के अन्तर्गत किसी  
अन्य अपीलीय अस्थायिक  
आयुक्त का न मोपा गया  
है।

(1)	(2)
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जहाँ कहीं कोई आयकर परिमण्डल, वार्ड या जिला अथवा उसका भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज में प्रत्यक्ष कर दिया गया हो, वहाँ उस आयकर परिमण्डल, वार्ड या जिला अथवा

उसके किसी भाग में किए गए कर-निर्धारणों से उत्पन्न होने वाली अपोसे इस अधिसूचना की तारीख से तत्काल पूर्व रेंज के उस अपीलीय सहायक आयुक्त के समक्ष विचारणीय पड़ी अपीलें, जिसमें अधिकार क्षेत्र में उक्त आयकर परिमण्डल वार्ड या जिला अथवा उसका कोई भाग प्रत्यक्ष किया गया हो, इस अधिसूचना के लागू होने की तारीख से रेंज के उस अपीलीय सहायक आयुक्त को प्रत्यक्ष की जाएगी, और उसके द्वारा निपटाई जाएगी, जिस अधिकार क्षेत्रफल में उक्त परिमण्डल, वार्ड और (जिला अथवा उसका कोई भाग) प्रत्यक्ष किया गया हो। यह अधिसूचना दिनांक 1-6-1987 से लागू होगी

[नं 7304 (फा सं 261/19/86-पा. का. न्या.)]

## CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 19th May, 1987

S.O. 2101.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and in supersession of previous Notifications in this regard, the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioners of Income-tax of the Ranges specified in column (2) of the Schedule below shall perform their functions in respect of all persons and incomes assessed to income tax in the Income-tax Circle, Wards and Districts specified in the corresponding entry in column (3) thereof, excluding all persons and incomes assessed to Income-tax over which jurisdiction vests in the Commissioner of Income-tax (Appeals)

## SCHEDULE

S. No.	Range	Income-tax Circle, Ward and District
1	2	3
<b>AHMEDABAD</b>		
1	Appellate Assistant Commissioner, Ahmedabad Range-I Ahmedabad.	1. Circle-I, Ahmedabad.
2	Appellate Assistant Commissioner, Ahmedabad Range-II, Ahmedabad	1. Circle-II, Ahmedabad. 2. Professional Circles Ahmedabad. 3. Central Circles, Ahmedabad.
3	Appellate Assistant Commissioner, Ahmedabad Range-III, Ahmedabad	1. Circle-III, Ahmedabad. 2. Special Circles, Ahmedabad. 3. Special (Investigation) Circles, Ahmedabad.
4	Appellate Assistant Commissioner, Ahmedabad Range-IV, Ahmedabad.	4. Any circle or ward a Ahmedabad not specifically assigned to any other AAC under this order.
5	Appellate Assistant Commissioner, Ahmedabad Range-V, Ahmedabad.	1. Circle-IV, Ahmedabad 2. Circle-VI, Ahmedabad. 3. Estate Duty-cum-Income-tax Circle, Ahmedabad.

1	2	3
5. Appellate Assistant Commissioner Ahmedabad Range-V, Ahmedabad.	1. Circle-V, Ahmedabad. 2. Patan Circle. 3. Mehsana Circle 4. Palanpur Circle. 5. Surendranagar Circle. 6. Himatnagar Circle 7. Modasa Circle.	
6. Appellate Assistant Commissioner, Ahmedabad Range-VI, Ahmedabad.	1. Company Circle-III. 2. Company Circle-IV. 3. Company Circle-XI. 4. Company Circle-XII. 5. Company Circle-XIII. 6. Company Circle-XVI.	
7. Appellate Assistant Commissioner, Ahmedabad Range-VII, Ahmedabad.	1. Company Circle-I 2. Company Circle-II 3. Company Circle-V 4. Company Circle-VI 5. Company Circle-VII 6. Company Circle-VIII 7. Company Circle-IX 8. Company Circle-X 9. Company Circle-XV 10. Non-Resident Circle, Ahmedabad. 11. Survey Circles, Ahmedabad.	
8. Appellate Assistant Commissioner, Ahmedabad Range-VIII, Ahmedabad.	1. Circle-VIII, Ahmedabad.	
<b>SURAT</b>		
9. Appellate Assistant Commissioner, Surat.	1. Circle-I, Surat. 2. Circle-II, Surat. 3. Circle-III, Surat. 4. Special Investigation Circle, Surat. 5. Central Circle, Surat. 6. Special Survey Circles, Surat. 7. Bulsar Circle. 8. Vapi Circle 9. Navsari Circle. 10. Estate Duty Circle, Surat.	
<b>BARODA</b>		
10. Appellate Assistant Commissioner, Baroda.	1. Circle-I, Baroda. 2. Circle-II, Baroda. 3. Circle-III, Baroda. 4. Central Circle, Baroda. 5. Estate Duty-cum-Income-tax Circle Baroda 6. Special Survey Circle Baroda. 7. Godhra Circle. 8. Baruch Circle. 9. Nadiad Circle 10. Petlad Circle. 11. Anand Circle.	

Whereas Income-tax Circle, Ward for District (or part thereof) stands transferred by this Notification from one Range to another Range, appeals arising out of the assessments made in that income-tax circle ward or District or (part

thereof) and pending immediately before the date of this Notification before the Appellate Assistant Commissioner of the Range from whom that Income-tax Circle, Ward or District (or part thereof) is transferred, shall from the date this Notification takes effect, be transferred to, and dealt with, by the Appellate Assistant Commissioner for Range to whom the said Circle, Ward or District (or part thereof) is transferred.

This Notification shall take effect from 1-6-1987.

[No. 7304 (F. No. 261/19/86-ITJ)]

नई दिल्ली, 4 जून, 1987

का.आ. 2102 --आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों तथा इस सम्बन्ध में सशम बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए, और सभी पूर्ववर्ती अधिसूचनाओं में आंगिक संशोधन करने हुए, केन्द्रीय प्रमुख कर बोर्ड एतद्वारा निदेश देता है कि नीचे दी गई अनुसूची के स्तम्भ 2 में विनिर्दिष्ट रेंजों के अपीलीय सहायक आयकर आयुक्त उक्त अनुसूची के स्तम्भ 3 की तत्संबंधी प्रविष्टि में विनिर्दिष्ट आयकर परिमण्डलों, बाड़ों और जिलों में आयकर अथवा अधिकार से निर्धारित सभी व्यक्तियों और आय के सम्बन्ध में अपने कार्य करेंगे।

#### अनुसूची

क्रम सं.	अनुसूची रेंज	आयकर परिमण्डल, बाडें अथवा जिलें
1	2	3
1. अपीलीय सहायक, आयुक्त, आगरा	i. विशेष जंज परिमण्डल, आगरा ii. परिमण्डल I, आगरा iii. परिमण्डल II, आगरा iv. केन्द्रीय परिमण्डल, आगरा v. फतेहगढ़ vi. अघीगढ़ vii. मेनपरी viii. हांसी ix. एटा x. हाथरस xi. एटावा xii. फिरोजाबाद xiii. मथुरा	

जहां कहीं कोई आयकर परिमण्डल, बाड़ें या जिला अथवा उसका कोई भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज में अन्तर्गत कर दिया गया हो वहां उस आयकर परिमण्डल, बाड़ें या जिला अथवा उसके किसी भाग में किए गए कर-निर्धारणों से उत्पन्न होने वाली अपीलें इस अधिसूचना की तारीख से तत्काल पूर्व रेंज के उस अपीलीय सहायक आयकर आयुक्त के समक्ष विचाराधीन पड़ी अपीलें, जिसके अधिकार क्षेत्र से उक्त आयकर परिमण्डल, बाड़ें या जिला अथवा उसका कोई भाग अन्तर्गत किया गया हो, रेंज के उस अपीलीय सहायक आयुक्त को अन्तर्गत की जाएंगी और उसके द्वारा निपटाई जाएंगी, इसके अधिकारक्षेत्र में उक्त परिमण्डल, बाड़ें और जिला अथवा उसका कोई भाग अन्तर्गत किया गया हो।

यह अधिसूचना 1-6-1987 से लागू होगी।

[सं. 7328 (फ. सं. 261/24/87-आ. क. ग्वा.)]

New Delhi, the 24th June, 1987

S.O. 2102:—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and all other powers enabling in that behalf and in partial modification of all previous notifications in this regard the Central Board of Direct Taxes hereby directs that the Appellate Asstt. Commissioners of Income-tax of the Ranges specified in column (2) of the schedule below shall perform their functions in respect of the persons and income assessed to Income-tax or Super-tax in the Income-tax Circles, wards and Districts specified in the corresponding entry in column 3 thereof :—

## SCHEDULE

Sl. No.	Schedule Range	Income-tax Circles, Wards Districts
1.	A.A.C. Agra	(i) Spl. Investigation Circle, Agra. (ii) Circle-I, Agra. (iii) Circle-II, Agra. (iv) Central Circle, Agra. (v) Fatehgarh. (vi) Aligarh. (vii) Mainpuri. (viii) Jhansi. (ix) Etah. (x) Hathras. (xi) Etawah. (xii) Firozabad. (xiii) Mathura.

Whereas Income-tax Circles, Ward or District or part thereof stands transferred by this Notification from one Range to another appeals arising out of Assessments made in that Income-tax Circle, Ward or Districts or part thereof and pending immediately before the date of this notification before the Appellate Asstt. Commissioner of Income-tax of the Range from whom that Income-tax Office Circle, Ward or District or part thereof is transferred to and dealt with by the Appellate Asstt. Commissioner of Income-tax of the Range to whom the said Circle, Ward or District of part thereof is transferred. This Notification shall take effect from 1-6-1987

[No. 7328 (F. No. 261/24/87—ITJ)]

का प्र. 2103.—आयकर अधिनियम, 1961 (1961 का 43) की प्रा. 122 की उपधारा (1) द्वारा प्रयुक्त शक्तियों का प्रयोग करते हुए तथा इस सम्बन्ध में पूर्ववर्ती अधिसूचना सं. 6345 (फा. सं. 61/2/85 प्रा. क. ग्या.) दिनांक 26-7-1985, अधिसूचना सं. 6462 (फा. सं. 261/2/85—प्रा. क. ग्या.) दिनांक 16-10-1985 तथा अधिसूचना सं. 6775 (फा. सं. 61/6/86—प्रा. क. ग्या.) का अधिलेखन करते हुए, केन्द्रीय यक्ष कर बोर्ड एतद्वारा निदेश देता है नीचे दी गई अनुसूची के स्तम्भ में विनिर्दिष्ट रेंजों के राष्ट्रीय सहायक आयकर आयुक्तों के द्वारा निर्धारित उन सभी व्यक्तियों और आय को छोड़कर (आयकर आयुक्त (राष्ट्रीय) क्षेत्राधिकार में विहित है, कि अनुसूची के स्तम्भ 3 की तत्सम्बन्धी विनिर्दिष्ट आयकर परिमण्डलों, वार्डों और जिलों में आयकर धारित सभी व्यक्तियों और आय के सम्बन्ध में अपना कार्य रहे।

अनुसूची

क्रम सं.	रेंज	आयकर परिमण्डल/वार्ड और जिले
(1)	(2)	(3)
1.	इलाहाबाद रेंज "ग"	(i) ए. तथा बी. वार्ड, एम. आई. सी. इलाहाबाद (ii) ए. बी. तथा सी. वार्ड, इलाहाबाद परिमण्डल, इलाहाबाद (iii) केन्द्रीय परिमण्डल, इलाहाबाद (iv) फतेहपुर (v) प्रतापगढ़ (vi) मुलतान-पुर
2.	इलाहाबाद रेंज "बी"	(i) डी. ई. तथा एक वार्ड, इलाहाबाद (ii) ए. एण्ड बी. वार्ड, फीजाबाद
3.	वाराणसी रेंज	(i) ए. तथा बी. वार्ड एम. आई. सी. वाराणसी (ii) ए. बी. सी. डी. ई. एफ. जी. तथा एच. वार्ड वाराणसी परिमण्डल वाराणसी (iii) ए. तथा बी. वार्ड, मिर्जापुर (iv) केन्द्रीय परिमण्डल वाराणसी (v) गाजीपुर (vi) जौनपुर (vii) मधोही
4.	गोरखपुर रेंज	(i) ए. बी. सी. डी. ई. तथा एक वार्ड, गोरखपुर (ii) ए. आई. सी. गोरखपुर (iii) केन्द्रीय परिमण्डल, गोरखपुर (iv) बेरगंगा (v) बरौली (vi) बहराईच (vii) मोठा (viii) मोताबू अजन (ix) भाजमगढ़ (x) बलिया

2. जहाँ कहीं कोई आयकर परिमण्डल, वार्ड जिला प्रथम उसका कोई भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज में अन्तर्गत कर दिया गया हो, वहाँ उस आयकर परिमण्डल, वार्ड या जिला प्रथम उसकी किसी भाग में किए गए कर-निर्धारणों से उत्पन्न होने वाली अपीलें इस अधिसूचना की तारीख से तत्काल पूर्व आयकर के उस राष्ट्रीय सहायक आयुक्त के समक्ष विचारणीय पड़ी अपीलें, जिसके अधिकार क्षेत्र में उक्त आयकर परिमण्डल, वार्ड या जिला प्रथम उसका कोई भाग अन्तर्गत किया गया हो, इस अधिसूचना के लागू होने की तारीख से रेंज के उस राष्ट्रीय सहायक आयुक्त को अन्तर्गत की जाएगी, और उसके द्वारा निपटाई जाएगी जिसके अधिकार क्षेत्र में उक्त

परिमण्डल, वार्ड और जिला अथवा उसका कोई भाग अन्तर्गत किया गया हो।

3 जहाँ एक स्थान विशेष के प्रधान कार्यालयों के सभी परिमण्डल वार्ड अथवा जिले एक अपीलीय सहायक आयुक्त का सीवे गए हों वहाँ यह ह्रास हो मे समाप्त किए गए इन प्रधान कार्यालयों के परिमण्डलों, वार्डों और जिलों के सम्बन्ध में भी अधिकाधिकार का प्रयोग करेगा।

4. यह अधिसूचना दिनांक 1-6-1987 से लागू होगी।

[स. 7326 (फा. म. 261/24/87-भा. का. स्वा.)]

S.O. 2103.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (41 of 1961) and in supersession of the previous Notification No. 6345 (F. No. 261/2/85-ITJ) dated 26-7-1985, No. 6462 (F. No. 261/2/85-ITJ) dated 16-10-1985 and No. 6775 (F. No. 261/6, 86-ITJ) in this regard the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioners of the ranges specified in column 2 of this Schedule below shall perform their functions in respect of all person and income assessed to Income-tax in the Income-tax Circles, Wards or District specified in the corresponding entry in column 3 thereof excluding all persons and income assessed to Income-tax over which the jurisdiction vests in Commissioner of Income-tax (Appeals).

#### SCHEDULE

S. No.	Range	Income-tax Circle, Ward and District
1	2	3
1.	Allahabad Range 'A' Allahabad.	(i) A & B Wards, SIC Allahabad. (ii) A, B & C Wards, Allahabad Circle, Allahabad. (iii) Central Circle, Allahabad. (iv) Fatehpur. (v) Pratapgarh and (vi) Sultanpur.
2.	Allahabad Range 'B'	(i) D, E & F Wards, Allahabad Circle, Allahabad. (ii) A & B Wards, Faizabad.
3.	Varanasi Range	(i) A & B Wards, SIC, Varanasi. (ii) A, B, C, D, E, F, G & H Wards Varanasi Circle, Varanasi. (iii) A & B Wards, Mirzapur. (iv) Central Circle, Varanasi. (v) Ghazipur. (vi) Jaunpur (vii) Bhadohi
4.	Gorakhpur Range	(i) A, B, C, D, E & F Wards, Gorakhpur. (ii) SIC, Gorakhpur. (iii) Central Circle, Gorakhpur. (iv) Deoria. (v) Basti. (vi) Bahraich (vii) Gonda. (viii) Maunath. Bhanjan (ix) Azamgarh (x) Ballia.

2. Whereas an Income-tax Circle, Ward and District or part thereof stands transferred by this Notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of Income-tax from that Income-tax Circle, Ward or District or part thereof is transferred shall from the date of this notification takes effect, be transferred to and dealt with by the Appellate Assistant Commissioner of Income-tax of the Range to when the said Circle, Ward or District or part thereof is transferred.

3. Where all Circles, Wards or Districts having headquarters at a particular place have been assigned to an Appellate Assistant Commissioner he will have jurisdiction in respect of Circles, Wards and Districts at these headquarters since abolished also.

4. This notification shall take effect from 1-6-1987.

[No. 7326 (F. No. 261/24/87-ITJ)]

का.आ. 2103.-- आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रबल शक्तियों तथा इस सर्वध में सश्रम बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए तथा और सभी पूर्ववर्ती अधिसूचनाओं में प्राधिक सशोधन करने हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा निदेश देता है कि नीचे दी गई अनुसूची के स्तम्भ 2 में विनिर्दिष्ट रेंजों के अपीलीय सहायक आयुक्त आयुक्त, उक्त सूची के स्तम्भ 3 की तत्सम्बन्धी प्रविष्टि में विनिर्दिष्ट आयकर परिमण्डलों वार्डों और जिलों में, आयकर अथवा अधिकार से निर्धारित सभी व्यक्तियों और राज्य के सम्बन्ध में अपने कार्य करेंगे।

#### अनुसूची

क्रम सं.	अनुसूची रेंज	आयकर परिमण्डल, वार्ड तथा जिले
1	2	3
1.	अपीलीय सहायक आयुक्त, कानपुर	1. निम्नलिखित के आदेश से उत्पन्न होने वाली अपीलें :— (i) केन्द्रीय परिमण्डल के सभी आयकर अधिकारी, कानपुर। (ii) परिमण्डल II के सभी आयकर अधिकारी, कानपुर। (iii) परिमण्डल II के सभी आयकर अधिकारी, कानपुर। (iv) परिमण्डल III, के सभी आयकर अधिकारी, कानपुर। (v) वेलन परिमण्डल के सभी आयकर अधिकारी, कानपुर। (vi) आयकर अधिकारी, बांरा। (vii) आयकर अधिकारी, एस.टी. सी., बी. I तथा बी. II कानपुर। (viii) आयकर अधिकारी, कम्पनी परिमण्डल, ए. तथा बी वार्ड, कानपुर।

जहाँ कहीं कोई आयकर परिमण्डल, वार्ड अथवा जिला अथवा उसका कोई भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज में अन्तर्गत कर दिया गया हो, वहाँ उस आयकर परिमण्डल, वार्ड या जिला अथवा

उसके किसी भाग में किए गए कर विधायकों से उत्पन्न होने वाली घटीले इस अधिसूचना की तारीख से तत्काल पूर्ण रेंज के घपीलीय सहायक आय-कर आयुक्त के समस्त विचाराधीन घपी घपीले, जिसके अधिकार क्षेत्र से उक्त आयकर परिमण्डल, वार्ड या जिला प्रयथा उसका कोई भाग घन-रित किया गया हो, इस अधिसूचना के लागू होने से रेंज के उम घपीलीय सहायक आयुक्त को घनरित की जाएगी और उसके द्वारा निपटारी जाएगी, जिसका अधिकार क्षेत्र से उक्त परिमण्डल, वार्ड और जिला प्रयथा उसका कोई भाग घनरित किया गया हो ।

यह अधिसूचना दिनांक 1-6-1987 से लागू होगी ।

[स 7327 (फा म. 261/24/87-घा. क न्या )]

के० पी० गंगुला, विशेष कार्य अधिकारी

S.O. 2104.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and all other powers enabling in that behalf and in partial modification of all previous notifications in this regard the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioner of Income-tax of the Ranges specified in column (2) of the Schedule below shall perform his functions in respect of the persons and income assessed to Income-tax or Super-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column 3 thereof:—

#### SCHEDULE

S. No.	Schedule Range	Income-tax Circles, Wards and Districts
1	2	3
1.	Appellate Assistant Commissioner, Kanpur	Appellants arising out of order of:— (i) All ITOs of Central Circle, Kanpur. (ii) All ITOs of Circle Kanpur (iii) All ITOs of Circle II, Kanpur. (iv) All ITOs of Circle III, Kanpur. (v) All ITO. of Salary Circle, Kanpur (vi) ITO, Banda. (vii) ITO, S.T.C., B-I & B-II, Kanpur. (viii) ITO, Company Circle A & B Wards, Kanpur.

Whereas an Income-tax Circle, Ward or District or part thereof stands transferred by this Notification from one Range to another, appeals arising out of Assessments made in that Income-tax Circle, Ward or Districts or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of Income-tax of the Range from whom that Income-tax office Circle, Ward or District or part thereof is transferred to and dealt with by the Appellate Assistant Commissioner of Income-tax of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from 1-6-1987.

[No 7327(F No. 261/24/87-ITJ)]

K. P. Ganguli, OSD (J)

#### बिस्त संघालय

(सांख्यिक कार्य विभाग)

(बैंकिंग पत्राग)

नई दिल्ली, 24 जुलाई, 1987

का या 2105.—सरकारी स्थान (अप्राधिकृत अधिभागियों की वेदवली) सांख्यिक, 1971 (1971 का 40) की धारा 3 द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार एतद्वारा भारत सरकार, विन मन्त्रालय बैंकिंग विभाग की दिनांक 20 घनर, 1975 की का. या. स 4177 में निम्नलिखित संशोधन करती है, यद्यपि:—

उक्त अधिसूचना की धरणी के स्थान पर निम्नलिखित धारणी रखी जाये:—

“सारग

अधिकारों का पदनाम सरकारी स्थान की श्रेणियों और क्षेत्राधिकार की स्थानीय सीमाएँ

1	2
सांख्यिक प्रबंधक, पंजाब नेशनल बैंक, बिहार, आर. ब्लाक, कागडय प्लेस पटना ।	बिहार राज्य में स्थित पंजाब नेशनल बैंक का स्थान या बैंक द्वारा पट्टे पर लिया गया या बैंक की ओर से पट्टे पर लिया गया स्थान ।
सांख्यिक प्रबंधक, पंजाब नेशनल बैंक, दिल्ली, एक 14, कापेटेंट हाउस, नई दिल्ली ।	मध्य राज्य क्षेत्र दिल्ली की स्थानीय सीमाओं में स्थित पंजाब नेशनल बैंक का स्थान या बैंक द्वारा पट्टे पर लिया गया या बैंक की ओर से पट्टे पर लिया गया स्थान ।
सांख्यिक प्रबंधक, पंजाब नेशनल बैंक, पूर्वी घनर, एपीजे हाउस, 1-5 पार्क स्ट्रीट, कलकत्ता ।	उड़ीसा राज्य के मुम्बरगढ़ जिले और कलकत्ता महानगर सहित पश्चिम बंगाल राज्य में स्थित पंजाब नेशनल बैंक का स्थान या बैंक द्वारा पट्टे पर लिया गया या बैंक की ओर से पट्टे पर लिया गया स्थान ।
सांख्यिक प्रबंधक, पंजाब नेशनल बैंक, पूर्वी उत्तर प्रदेश घनर, 10-अशोक मार्ग, लखनऊ ।	उत्तर प्रदेश राज्य के लखनऊ, कानपुर, बाराणसी और गोरखपुर जिलों में स्थित पंजाब नेशनल बैंक का स्थान या बैंक द्वारा पट्टे पर लिया गया या बैंक की ओर से पट्टे पर लिया गया स्थान ।
सांख्यिक प्रबंधक, पंजाब नेशनल बैंक, परिवर्तनी उत्तर प्रदेश घनर, पूर्वी कचहरी रोड, मेरठ ।	उत्तर प्रदेश राज्य के गाजियाबाद, मेरठ, अगारा, सहारनपुर और देहरादून जिलों में स्थित पंजाब नेशनल बैंक का स्थान या बैंक की ओर से पट्टे पर लिया गया स्थान ।
सांख्यिक प्रबंधक, पंजाब नेशनल बैंक, मध्य प्रदेश घनर, विधान सभाक सामने, भोपाल ।	मध्य प्रदेश राज्य में स्थित पंजाब नेशनल बैंक का स्थान या बैंक द्वारा पट्टे पर लिया गया या बैंक की ओर से पट्टे पर लिया गया स्थान ।
सांख्यिक प्रबंधक, पंजाब नेशनल बैंक, उत्तरी घनर, सेक्टर-17 बी, पंजाब नेशनल बैंक हाउस, बडोदा ।	हरियाणा और हिमाचल प्रदेश राज्यों तथा खड़ीगढ़ संघ राज्य क्षेत्र में स्थित पंजाब नेशनल बैंक का स्थान या बैंक पट्टे पर लिया गया या बैंक की ओर से पट्टे पर लिया गया स्थान ।

1	2	(1)	(2)
आंचलिक प्रबंधक, पंजाब नेशनल बैंक, पंजाब क्षेत्र, लुम्बा मैशन, 396, औद्योगिक क्षेत्र, लुधियाना।	पंजाब राज्य में स्थित पंजाब नेशनल बैंक का स्थान या बैंक द्वारा पट्टे पर लिया गया या बैंक की ओर से पट्टे पर लिया स्थान।	The Zonal Manager, Punjab National Bank, Eastern Zone, Apeejay House, 15-Park Street, Calcutta.	Premises belonging to or taken on lease by or on behalf of the Punjab National Bank and situated in the State of West Bengal including metropolitan City of Calcutta and Sundergarh District in the State of Orissa.
आंचलिक प्रबंधक, पंजाब नेशनल बैंक, राजस्थान, 1, गोपीनाथ मार्ग, विधायक के बंगले के समीप, एम टी रोड जयपुर।	राजस्थान राज्य में स्थित पंजाब नेशनल बैंक का स्थान या बैंक द्वारा पट्टे पर लिया गया या बैंक की ओर से लिया गया स्थान।	The Zonal Manager, Punjab National Bank East Uttar Pradesh Zone, 10-Ashok Marg, Lucknow.	Premises belonging to or taken on lease by or on behalf of the Punjab National Bank and situated in the Districts of Lucknow, Kanpur, Varanasi and Gorakhpur in the State of Uttar Pradesh.
आंचलिक प्रबंधक, पंजाब नेशनल बैंक, दक्षिणी क्षेत्र, 160, प्रेमन रोड, थिरु विजि हग, मदुरा।	मद्रास महानगर शहर और कर्नाटक में बैंगलूर शहर सहित तमिलनाडु राज्य में स्थित पंजाब नेशनल बैंक का स्थान या बैंक द्वारा पट्टे पर लिया गया या बैंक की ओर से पट्टे पर लिया गया स्थान।	The Zonal Manager, Punjab National Bank, West Uttar Pradesh Zone, Eastern Kutchery Road, Meerut.	Premises belonging to or taken on lease by or on behalf of the Punjab National Bank and situated in the Districts of Ghaziabad, Meerut, Agra, Saharanpur and Dehradun in the State of Uttar Pradesh.
आंचलिक प्रबंधक, पंजाब नेशनल बैंक, पश्चिमी क्षेत्र, इलमल हाउस, 11वीं मंजिल, बैंक रोड रिक्लेमेसन, मुम्बई	बड़ई महानगर शहर और गुजरात राज्य सहित महाराष्ट्र राज्य में स्थित पंजाब नेशनल बैंक का स्थान या बैंक द्वारा पट्टे पर लिया गया या बैंक की ओर से पट्टे पर लिया गया स्थान।		

[फा. सं. 13/1/85-बी. प्रो. III]

राज. नाय. प्र. प्र. वि.  
MINISTRY OF FINANCE  
(Department of Economic Affairs)

(Banking Division)

New Delhi, the 24th July, 1987

S.O. 2105.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (11 of 1971), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance, Department of Banking, No. S.O. 4177, dated the 20th August, 1975, namely:—

For the Table to the said notification the following Table shall be substituted, namely:—

"THE TABLE

Designation of the Officer	Categories of public premises and local limits of jurisdiction
(1)	(2)
The Zonal Manager, Punjab National Bank, Bihar R. Block, Chanakya Place, Patna.	Premises belonging to or taken on lease by or on behalf of the Punjab National Bank and situated in the State of Bihar.
The Zonal Manager, Punjab National Bank, Delhi F. 14, Competent House, New Delhi	Premises belonging to or taken on lease by or on behalf of the Punjab National Bank and situated within the local limits of Union territory of Delhi.

The Zonal Manager, Punjab National Bank, Madhya Pradesh Zone, Opposite Vidhan Sabha, Bhopal.

The Zonal Manager, Punjab National Bank, Northern Zone, Sector 17-B, Punjab National Bank House, Chandigarh.

The Zonal Manager, Punjab National Bank, Punjab Zone, Loomba Mansion, 396, Industrial Area, Ludhiana.

The Zonal Manager, Punjab National Bank, Rajasthan, 1, Gopi Nath Marg, Near MLA's Bungalow, M.T. Road, Jaipur.

The Zonal Manager, Punjab National Bank, Southern Zone, 160, Greames Road, Thiru Building, Madras.

Premises belonging to or taken on lease by or on behalf of the Punjab National Bank and situated in the State of Madhya Pradesh.

Premises belonging to or taken on lease by or on behalf of the Punjab National Bank and situated in the Union territory of Chandigarh, and the States of Haryana and Himachal Pradesh.

Premises belonging to or taken on lease by or on behalf of the Punjab National Bank and situated in the State of Punjab.

Premises belonging to or taken on lease by or on behalf of the Punjab National Bank and situated in the State of Rajasthan.

Premises belonging to or taken on lease by or on behalf of the Punjab National Bank and situated in the State of Tamil Nadu including Metropolitan City of Madras and Bangalore City in the State of Karnataka.

1	2
The Zonal Manager, Punjab National Bank, Western Zone, Dalma House, 11th Floor, Backbay Reclamation, Bombay.	Premises belonging to or taken on lease by or on behalf of the Punjab National Bank and situated in the State of Maharashtra including Metropolitan City of Bombay and the State of Gujarat."
	[No. 13/1/85—B.O.—III] PRAN NATH, Under Secy.

केन्द्रीय उत्पाद-शुल्क समाहृतानय

नागपुर, 29 जुलाई, 1987

अधिसूचना संख्या 7/87

का. प्र. 2106:—श्री डी. के. चिकाटे, अधीक्षक केन्द्रीय उत्पाद-शुल्क, समूह 'क' निवृत्ति की प्राप्ति करने पर दिनांक 30-6-87 को अवकाश में प्राथमिक सेवा में निवृत्त हुए।

[सी. नं. II(3)5/87/स्वातन्त्रता - 1/]

1. जीन राम कौन, उप-समाहृतार्थी (वार्मिक एवं स्वातन्त्रता)

CENTRAL EXCISE COLLECTORATE

Nagpur, the 29th July, 1987

NOTIFICATION NO. 7/87

S.O. 2105.—Shi D. K. Chikate, Superintendent, Central Excise, Group 'B' of Nagpur Collectorate having attained the age of Superannuation retired from Government Service on 30th June, 1987 in the afternoon.

[C. No. II(3) 5/87/Et. 1]

J. R. KAIT, Dy. Collector (P&F)

वाणिज्य संचालय

(मुख्य निबंधक, आयात-निर्यात का कार्यालय)

नई दिल्ली, 31 जुलाई, 1987

आदेश

का. प्र. 2107:—नैर्मल स्टील अथॉरिटी प्रा. लि. (राउरकेला स्टील प्लांट), राउरकेला-769011 को स्वतंत्र विदेशी मुद्रा के अधीन 77,66,900/- रु. (19,12,191 डी.एम.) के लागत-सीमा-आधार मुख्य का संलग्न सूची के अनुसार पश्चिमी अरबों में पूंजीगत माल के आयात के लिए, आयात लाइसेंस संख्या आई/सीजी/2041382 दिनांक 13 अगस्त, 1985 दिया गया था।

2. फर्म ने उपर्युक्त लाइसेंस की अनुमिति सीमाशुल्क प्रयोजन के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क प्रयोजन प्रति पारगमन में खो गई है। प्राप्ति यह भी कहा गया है कि लाइसेंस की सीमाशुल्क प्रयोजन प्रति कलकत्ता (सीमाशुल्क मदन) में पंजीकृत कराई गई थी और उसका आंशिक रूप में प्रयोग किया गया था। प्राप्ति यह बताया गया है कि कुल राशि जिसके लिए अब मूल अनुमिति प्रति घोषित है वह 25,85,994.30 रु. की शेष राशि है।

3. आवेदक ने अपने तर्कों के समर्थन में नोटिफिकेशन, नई दिल्ली के मामले विधिवत् जपान लेकर स्टाम्प कागज पर एक जपान-पत्र दाखिल किया है। तदनुसार, मैं संतुष्ट हूँ कि आयात लाइसेंस न आई/सीजी/2041382, दिनांक 13 अगस्त, 1985 की मूल सीमाशुल्क प्रयोजन प्रति पारगमन में खो गई है। समय-समय पर संशोधित आयात (निबंधन) आदेश, 1953, दिनांक 7-12-1955 की उपधारा 9(ग) द्वारा प्रचलन अधिकारों का प्रयोग करने हुए, नैर्मल स्टील अथॉरिटी प्रा. लि.

(राउरकेला स्टील प्लांट) राउरकेला-769011 को जारी किए गए आयात लाइसेंस संख्या आई/सीजी/2041382, दिनांक 13 अगस्त, 1985 की मूल सीमाशुल्क प्रयोजन प्रति पारगमन खो गई है।

4. उक्त लाइसेंस की अनुमिति सीमाशुल्क प्रयोजन प्रति पार्टी को अवकाश में जारी की जा रही है।

[न. सीजी-2 स्टील/11/84-85/355]

MINISTRY OF COMMERCE

(Office of the Chief Controller of Imports and Export)

New Delhi, the 31st July, 1987

ORDER

S.O. 2107.—M/s. Steel Authority of India Ltd. (Rourkela Steel Plant), Rourkela-769011, were granted an Import Licence No. I/CG/2041382 dated 13th August, 1985 for the import of capital goods as per list attached from West Germany for i/c value of Rs. 77,66,900 (DM 19,12,191) under Free Foreign Exchange.

2. The firm has applied for issue of duplicate copy of Customs purposes copy of the above mentioned licence on the ground that the original Customs purposes copy of the licence has been lost in transit. It has further been stated that the Customs purposes copy of the licence was registered with Calcutta (Customs House) and utilised partly. It has added that the duplicate licence is now required is to cover the balance of Rs. 25,85,994.30.

3. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a notary Public, New Delhi. I am accordingly satisfied that the original Customs Purposes Copy of import licence No. I/CG/2041382 dated 13th August, 1985, has been lost in transit by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended from time to time the said original Customs Purposes Copy No. I/CG/2041382 dated 13th August, 1985 issued to M/s. Steel Authority of India Ltd., Rourkela Steel Plant, Rourkela-769011, is hereby cancelled.

4. A duplicate Custom Purposes copy of the said licence is being issued to the party separately.

[No. CGII Steel/11/84-85/355]

आदेश

का. प्र. 2108:—नैर्मल स्टील अथॉरिटी प्रा. लि. (राउरकेला स्टील प्लांट) राउरकेला-769011 को स्वतंत्र विदेशी मुद्रा के अधीन 2,28,58,100/- रुपये (1985073 64 यू.एस. डॉलर) के लागत-सीमा-आधार का प्रयोजन/बेनिफिट/कोर/आई/सीजी/2041048 दिनांक 20-10-1984 दिया गया था।

फर्म ने उपर्युक्त लाइसेंस की अनुमिति सीमाशुल्क प्रयोजन के प्रति के लिए इस आधार पर आवेदन किया है कि पारगमन में लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति खो गई है। प्राप्ति यह भी कहा गया है कि लाइसेंस की सीमा शुल्क प्रयोजन नि कलकत्ता (सीमाशुल्क मदन) में पंजीकृत थी और प्राप्ति यह कहा गया है कि कुल राशि जिसके लिए अब मूल अनुमिति प्रति घोषित है वह 48,92,313/- रुपये की शेष राशि की है।

3. आवेदक ने अपने तर्कों के समर्थन में नोटिफिकेशन, नई दिल्ली के मामले विधिवत् जपान लेकर स्टाम्प कागज पर एक जपान-पत्र दाखिल किया है। तदनुसार, मैं संतुष्ट हूँ कि आयात लाइसेंस न आई/सीजी/2041048, दिनांक 20-10-84 की मूल सीमाशुल्क प्रयोजन प्रति पारगमन



में खो गई है। समस्त-समय पर व्यापारिक अधिकार (नियंत्रण) अधिनियम, 1955, दिनांक 7-12-1955 की उपधारा 9(ग) द्वारा प्रदत्त अधिकार का प्रयोग करते हुए मैक्स स्टील अथॉरिटी ऑफ इंडिया लि., राउरकेला स्टील प्लांट, राउरकेला-769011 को जारी किए गए आयात लाइसेंस नं. आई/सीजी/2041048, दिनांक 20-10-1984 की मूल सीमाशुल्क प्रयोजन प्रति एन्ट्रान्स रद्द की जाती है।

4. उक्त लाइसेंस की अनुतिथि सीमाशुल्क प्रयोजन के प्रति पार्टी को भरण में जारी की जा रही है।

[स. सी जी 2/स्टील/11/84-85/357]

पाल बेक, उप मुख्य निरीक्षक, आयात-निर्यात  
रून मुख्य निरीक्षक, आयात-निर्यात

### ORDER

S.O. 2108.—M/s. Steel Authority of India Ltd., Rourkela Steel Plant, Rourkela-769011 were granted on Import Licence No. 1/CG/2041048 dated 20th October, 1984 for import of Equipment for the 2 x 60 MW Captive Power Plant as per list attached from USA/Belgium/France/UK Switzerland West Germany for a value of Rs. 2,26,58,100 (US \$1985073.64) and Free Foreign Exchange

2. The firm has applied for issue of duplicate copy of customs purposes copy of the above mentioned licence on the ground that the original customs purposes copy of the licence has been lost in transit. It has further been stated that the customs purposes copy of licence having been registered with Calcutta (Custom House). It has been added that the total amount for which the original duplicate is now required is to cover the balance of Rs. 48,82,343

3. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a notary Public New Delhi. I am accordingly satisfied that the original Customs Purposes copy of import licence No. 1/CG/2041048 dated 20th October, 1984 has been lost in transit by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended from time to time the said original Customs purposes copy No. 1/CG/2041048 dated 20th October 1984 issued to M/s. Steel Authority of India Ltd. Rourkela Steel Plant, Rourkela-769011, is hereby cancelled

4. A duplicate Customs purposes copy of the said licence is being issued to the party separately.

[No. CG-1/Steel/11/84-85/357]

PAUL BECK, Dy. Chief Controller of Imports & Exports  
for Chief Controller of Imports & Exports

(उप मुख्य निरीक्षक, आयात-निर्यात का कार्यालय)

गुवाहाटी, 18 जून, 1987

प्रत्याहरण-परिपत्र

विषय— मै. के पी एम इण्टरप्राइजिस, उद्योग नगर, तिनसुखिया (असम) को 500 टन के सभी सैक्रिडम/सैक्रिड प्रइस/डिफैक्टिव/नॉटस शीट्स/किसी भी प्रकार में नकारा नष्ट/विपिन/बिना वेप के सैक्रिड तथा 100 टन टिनप्लेट वेस्ट/0.25 मि. मी. या उससे कम मोटाई के वेस्ट के आयात के लिए, लेकिन सी सी ए में से मिल एम्प्रेस तथा ओवररन के अलावा 17,50,000/- रु. के अनुपूरक लाइसेंस नं. पी/एस/1967192/सी/एस एस/99/85 दिनांक 3-6-86 की सीमाशुल्क प्रयोजन तथा मुद्रा विनिमय नियंत्रण प्रति की रद्द करने का आदेश।

का आ. 2109 :—उपरोक्त विषय पर उक्त समसंख्यक निर्यात आदेश नं. 4672-4734/5275, दिनांक 5/23-1-87 की ओर ध्यान दिया जाना है।  
712 GI/87-2

रु. के लिए (आंशिक रूप में उपयोग किया गया) मूल अनुपूरक लाइसेंस नं. पी/एस/1967192/सी/एस एस/99/85, दिनांक 3-6-86 पार्टी ने जमा किया गया पाया गया है इसलिए उक्त निर्यात आदेश को तत्काल से ही प्रबल प्राप्त किए जाने का निर्णय लिया गया है। उक्त मूल लाइसेंस के मुद्दे जारी अनुतिथि लाइसेंस नं. डी-2468625 तथा डी-2468627 दिनांक 16-1-87 (सी प्र. तथा मु. वि. नि. प्रति) का रद्द कर दिया गया है और इन कार्यालय में रखा लिया गया है।

[स. 29 एस एस आई/85-86/2430-2494]

जे. एल. दास, उप मुख्य निरीक्षक, आयात-निर्यात

(Office of the Deputy Chief Controller of Imports & Exports)

Guwahati, the 18th June, 1987

### WITHDRAWAL CIRCULAR

Subject—Order of cancellation of Customs Purposes and Exchange Control Copy of Supplementary licence No. P/S/1967192/C/XX/99/85 dated 3rd June, 1986 for Rs. 17,50,000 for import of 500 Tonnes of all seconds/second grades/detectives/cuttings sheets/wills strips in any shape/section coated/uncoated and 100 tonnes of tinplate waste/waste of thickness 0.25 mm and below, but excluding mill excess and overruns from GCA issued in favour of M/s. K. P. M. Enterprises, Udyog Nagar, Tinsukia (Assam)

S.O. 2109.—Attention is invited to the above cancellation order of even No. 4672-4734/5275 dated 5th/23rd January, 1987 on the above subject.

As both the copies of the original Supplementary licence No. P/S/1967192/C/XX/99/85 dated 3rd June, 1986 for Rs. 17,50,000 (partly utilised) has been found deposited by the party and as such it has now been decided to withdraw the said cancellation order with immediate effect. The Duplicate Licence No. D. 2468626 and No. D. 2468627 dated 16th January, 1987 (C.P. & E.C. Copy) issued against the above mentioned original licence has been cancelled and retained in this office.

[No. 29-SSI/85 86/2430-2494]

J. L. DAS, Dy. Chief Controller of I & E.

### उद्योग मंत्रालय

(कम्पनी कार्य विभाग)

नई दिल्ली, 1 जुलाई, 1987

का आ. 2110—कम्पनी अधिनियम, 1956 (1956 का 1) की धारा 10-ई की उपधारा (2) और (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, केन्द्रीय सरकार एन.ए.आर. भारत सरकार, उद्योग मंत्रालय (कम्पनी कार्य विभाग) दिनांक 3-12-1986 की अधिसूचना जिसमें दिनांक 2-2-1987 की समसंख्यक अनुवर्ती अधिसूचना द्वारा संशोधन किया गया था, में निम्नलिखित संशोधन करती है, तात्पर्यः—

1. कम्पनी अधिसूचना के खंड (क) में

(i) प्रविष्टि संख्या 9 में श्री एम. एन. बोस का नाम हटाया जायेगा और इसके स्थान पर निम्नलिखित प्रविष्टि जोड़ी जायेगी : तात्पर्यः :

"श्री वी. पी. गुप्ता"

Affairs), dated 3-12-1986, as amended by the subsequent notification of even No. dated 2-2-1987, namely :—

2 उपर्युक्त सशोधन पत्रिका जुलाई, 1987 (पूर्वाह्न) में लागू होगी।

1. In the said notification, in clause (2),

3 उपर्युक्त सशोधन के परिणामस्वरूप कम्पनी विधि बोर्ड का गठन 1-7-1987 (पूर्वाह्न) में किया प्रस्ताव होगा :—

(i) Against entry No. 9, the name of Shri S. S. Khosla shall be omitted and the following entry shall be inserted in its place, namely,

1. श्री वी. के. दार, —सदस्य
2. श्री अशोकचन्द्र —सदस्य
3. श्री आर. एन. बंसल —सदस्य
4. श्री एम. कुमार —सदस्य
5. श्री वी. के. मजोत्रा —सदस्य
6. श्री सी. आर. सुन्दराजन —सदस्य
7. श्री एन. डी. वेङ्कटरमण —सदस्य
8. श्रीमती एस. अच्युतन —सदस्य
9. श्री वी. पी. गुप्ता —सदस्य

'Shri V. P. Gupta'.

[सं. अ-45011/71/86-अ. शासन-I]

एन. सी. गोयल, सचिव, सचिव

2. The aforesaid amendment shall take effect from 1st July, 1987 (Forenoon).

3. Consequent upon the aforesaid amendment, the constitution of the Company Law Board with effect from 1-7-1987 (FN) shall be as under :—

- |                           |            |
|---------------------------|------------|
| 1 Shri V. K. Dar          | —Chairman. |
| 2 Shri Ashok Chandra      | —Member.   |
| 3. Shri R. N. Bansal      | —Member.   |
| 4 Shri S. Kumar.          | Member.    |
| 5. Shri V. K. Majotra     | —Member.   |
| 6 Shri C. R. Sundarajan   | —Member.   |
| 7 Shri I. D. Venkataraman | —Member.   |
| 8 Smt. S. Achyuthan       | —Member.   |
| 9 Shri V. P. Gupta        | —Member.   |

[No. A-45011/71/86-Admn. I]

L. C. GOYAL, Under Secy.

## MINISTRY OF INDUSTRY

(Department of Company Affairs)

New Delhi, the 1st July, 1987

S.O. 2110.—In exercise of the powers conferred by sub-section (2) and (3) of Section 10-E of the Companies Act, 1956, (1 of 1956), the Central Government hereby makes the following amendment to the notification of Government of India, Ministry of Industry, (Department of Company.

(रसायन और पेट्रोलियम विभाग)

नई दिल्ली, 6 अगस्त, 1987

का. अ. 2111 —यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य में गांव बरी, तहसील अलिबाग जिला रायगड से गांव धेरड, तहसील अलिबाग जिला रायगड तक पेट्रोलियम तेल, अथवा नैसर्गिक गैस अथवा एकत्रित अथवा अन्तिम पदार्थों के परिवहन के लिए पार्श्व लाइन, इंडियन पेट्रोकैमिकल्स कॉर्पोरेशन लिमिटेड, महाराष्ट्र गैस डेपॉजिट कॉम्प्लेक्स विभाग, विवेचने (प). मुबई द्वारा बिछाई जानी चाहिये।

और यह प्रतीत होता है कि ऐसी लाइन बिछाने के प्रयोजन के लिए पट्टाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकारी अर्जित करना आवश्यक है।

अतः अन्तिम पेट्रोलियम और अन्तिम पार्श्व लाइन (भूमि में उपयोग के अधिकार का धर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उनमें उपयोग का अधिकार अर्जित करने का अपना आशय पत्रों द्वारा घोषित किया है :

बशर्ते कि उक्त भूमि में निम्न कोई व्यक्ति, उस भूमि के नीचे पार्श्व लाइन बिछाने के लिए आशेष तथा अधिकारी, इंडियन पेट्रोकैमिकल्स लिमिटेड महाराष्ट्र गैस डेपॉजिट कॉम्प्लेक्स, नागोडडा, तहसील रोहा, जिला रायगड को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेंगे।

और ऐसा आशेष करने वाला हर व्यक्ति निम्नलिखितः वह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुसबई व्यक्तिगत हो या किसी विधि व्यवसायी की संपत्ति।

अनुसूची

पेट्रोलियम और अन्तिम पार्श्व लाइन (भूमि में उपयोग के अधिकार का धर्जन) अधिनियम 1962 की उपधारा (1) अधिसूचना क्रमांक मारीच की अनुसूची

क्र. क्र.	गांव का नाम	तहसील	जिला	सर्वे नं.	हिस्सा नं.	गट नं.	क्षेत्र हे.	आर. नं.
1	2	3	4	5	6	7	8	9
1	बरी	अलिबाग	रायगड	42	3 पी	—	—	8.3
				42	4 पी	—	—	6.5
				42	1 पी	—	—	9.8
				42	2 पी	—	—	0.2
				41	4 पी	—	—	10.6
				41	4 पी	—	—	10.6
				41	2 पी	—	—	14.9
				39	1 पी	—	—	24.7
				39	2 पी	—	—	0.5

1	2	3	4	5	6	7	8	9
2.	कोयने	अतिबाग	रायगढ़	9	3 पी	---	---	0.2
				9	2 पी	---	---	18.9
				10	1 पी	---	---	14.4
				10	2 पी	---	---	0.2
				13	2 पी	---	---	2.2
				13	3 पी	---	---	23.0
				12	1 पी	---	---	11.1
				12	2(1) पी	---	---	10.1
				18	1 पी	---	---	8.3
				18	3 पी	---	---	1.2
				19	1 पी	---	---	1.2
				19	2 पी	---	---	9.1
				19	3 पी	---	---	11.1
				42	2 पी	---	---	24.5
				42	1 पी	---	---	1.7
				43	1 पी	---	---	15.4
				41	3 पी	---	---	2.5
				41	4 पी	---	---	3.7
				40	1 पी	---	---	10.1
				36	3 पी	---	---	19.4
				36	2 पी	---	---	15.6
				35	1 पी	---	---	12.1
				34	2 पी	---	---	7.5
				32	4 पी	---	---	5.8
3.	बदायूँ	अतिबाग	रायगढ़	274	1 पी	---	---	13.1
				274	2 पी	---	---	
				273	1ए पी	---	---	
				273	1बी पी	---	---	1.7
				266	3 पी	---	---	12.6
				266	2 पी	---	---	8.6
				269	2 बी	---	---	1.2
				269	1 पी	---	---	21.5
				259	7 पी	---	---	9.3
				254	8 पी	---	---	0.7
				254	6 पी	---	---	5.3
				254	5 पी	---	---	1.2
				254	3 पी	---	---	13.1
				254	2 पी	---	---	3.5
				256	1 पी	---	---	4.5
				253	0 पी	---	---	9.8
				5	0 पी	---	---	31.6
				4	2 पी	---	---	5.2
				251	1 पी	---	---	25.2
				147	6 पी	---	---	14.1
				147	3 पी	---	---	9.5
				149	4 पी	---	---	7.5
				149	1 पी	---	---	2.7
				143	7 पी	---	---	10.6
				143	3 पी	---	---	7.3
				150	2(2) पी	---	---	12.1
				150	2(1) पी	---	---	7.0
				150	3 पी	---	---	4.5
				150	1 पी	---	---	3.2
				151	2 पी	---	---	3.2
				151	1 पी	---	---	2.5

1	2	3	4	5	6	7	8	9
				151	3 पी	---	---	6.0
				141	4 पी	---	---	11.1
				138	4 पी	---	---	14.1
				138	2 पी	---	---	11.3
				137	5 पी पी	---	---	11.0
				137	2 पी	---	---	11.0
				136	2 पी	---	---	17.9
				93	2 पी	---	---	2.5
				93	3 पी	---	---	11.1
				96	2 पी	---	---	16.9
				97	3 पी	---	---	10.1
				97	1 पी	---	---	18.7
				100	3 पी	---	---	12.1
				105	6 पी	---	---	12.1
				105	3 पी	---	---	5.3
				105	2 पी	---	---	0.5
				107	3 पी	---	---	9.1
				106ए	4 पी	---	---	6.3
				106आ	3 पी	---	---	4.8
				106ए	3 पी	---	---	
				106ए	1 पी	---	---	13.9
				107	2 पी	---	---	8.8
				107	1 पी	---	---	3.5
				81	4 पी	---	---	12.6
				80	0 पी	---	---	14.4
4	बेरु	मलियाग	राजगढ़	71	4 पी	---	---	5.6
				70	3 पी	---	---	2.0
				70	2 पी	---	---	15.1
				70	1 पी	---	---	13.4
				49	3 पी	---	---	18.9
				49	1 पी	---	---	14.6
				50	1(1) पी	---	---	8.0
				50	1(2) पी	---	---	13.9
				56	4 पी	---	---	1.0
				55	5 पी	---	---	18.2
				55	4 पी	---	---	13.1
				55	3 पी	---	---	0.5
				54	4 पी	---	---	4.0
				54	1 पी	---	---	12.1
				54	2 पी	---	---	1.0
				38	3 पी	---	---	0.5
				38	4 पी	---	---	14.9
				38	2 पी	---	---	11.8
				53	1 पी	---	---	0.2
				39	1 पी	---	---	24.2
				39	2 पी	---	---	7.0
				35	3 पी	---	---	1.0
				33	6 पी	---	---	11.6
				33	7 पी	---	---	8.6
				37	5 पी	---	---	6.0
				40	1 पी	---	---	2.0
				32	4 पी	---	---	3.0
				32	3 पी	---	---	20.2
				32	2 पी	---	---	16.2
				30	6 पी	---	---	7.0
				30	5 पी	---	---	1.0

## (Department of Chemicals &amp; Petrochemicals)

New Delhi, the 6th August, 1987

S.O. 2111.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum, oil, natural gas, effluent or any mineral from village Chari, Tehsil Alibag District Raigad to village Dherand Tehsil Alibag, District Raigad in the State of Maharashtra, pipelines should be laid through the agency of Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex Division, Vile Parle (W), Bombay;

And whereas, it appears to the Central Government that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the lands described in the schedule annexed hereto ;

Now, therefore in exercise of the powers conferred by sub section (i) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby notify their intention to acquire the right of user in the lands referred to in the schedule;

Any person interested in the said lands having any objection for laying the pipelines through the said lands may prefer an objection within 21 days from the date of the notification, to the Competent Authority, Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex Division, Nagothane Tehsil Roha District Raigad.

And every person making such an objection shall state specifically whether he wishes to be heard in person or by legal practitioner

## SCHEDULE

Schedule to Notification under Section 3 (1) of the Petroleum and Minerals Pipe Line (Acquisition of Right of user in Land) Act, 1962.

Sl. No.	Name of the Village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area H.	R.
1	2	3	4	5	6	7	8	9
1.	Chari	Alibag	Raigad	42	3 P	—	—	8.3
				42	4 P	—	—	6.5
				42	1 P	—	—	9.6
				42	2 P	—	—	0.2
				41	4 P	—	—	10.6
				41	2 P	—	—	14.9
				39	1 P	—	—	24.7
				39	2 P	—	—	0.5
2.	Khopan	Alibag	Raigad	9	3 P	—	—	0.2
				9	2 P	—	—	16.9
				10	1 P	—	—	14.4
				10	2 P	—	—	0.2
				13	2 P	—	—	2.2
				13	3 P	—	—	23.0
				12	1 P	—	—	11.1
				12	2(1) P	—	—	10.1
				18	1 P	—	—	8.3
				18	3 P	—	—	1.2
				19	1 P	—	—	1.2
				19	2 P	—	—	9.1
				19	3 P	—	—	11.1
				42	2 P	—	—	24.5
				42	1 P	—	—	1.7
				43	1 P	—	—	15.4
				41	3 P	—	—	2.5
				41	4 P	—	—	3.7
				40	1 P	—	—	10.1
				36	3 P	—	—	19.4
				36	2 P	—	—	15.6
				35	1 P	—	—	12.1
				34	2 P	—	—	7.5
				32	4 P	—	—	5.8
3.	Shahapur	Alibag	Raigad	274	1 P	—	—	13.1
				274	2 P	—	—	1.0
				273	1A P	—	—	16.4
				273	1B P	—	—	1.7
				266	3 P	—	—	12.6
				266	2 P	—	—	8.6
				269	2 P	—	—	1.2
				269	1 P	—	—	21.5
				254	7 P	—	—	9.3
				254	8 P	—	—	0.7
				254	6 P	—	—	5.3

1	2	3	4	5	6	7	8	9
3.	Shahapur (contd)	Alibag	Raigad	254	5 P	—	—	1.2
				254	3 P	—	—	13.1
				254	2 P	—	—	3.5
				256	1 P	—	—	4.5
				253	0 P	—	—	9.8
				5	0 P	—	—	31.6
				4	2 P	—	—	5.2
				251	1 P	—	—	25.2
				147	6 P	—	—	14.1
				147	3 P	—	—	0.5
				149	4 P	—	—	7.5
				149	1 P	—	—	2.7
				145	7 P	—	—	10.6
				145	3 P	—	—	7.3
				150	2(2) P	—	—	12.1
				150	2(1) P	—	—	7.0
				150	3 P	—	—	4.5
				150	1 P	—	—	3.2
				151	2 P	—	—	3.2
				151	1 P	—	—	2.5
				151	3 P	—	—	6.0
				141	4 P	—	—	11.1
				138	4 P	—	—	14.1
				138	2 P	—	—	11.3
				137	5B P	—	—	1.0
				137	2 P	—	—	1.0
				136	2B P	—	—	17.9
				93	2 P	—	—	2.5
				93	3 P	—	—	11.1
				96	2 P	—	—	16.9
				97	3 P	—	—	10.1
				97	1 P	—	—	18.7
				100	3 P	—	—	12.1
				105	6 P	—	—	12.1
				105	3 P	—	—	5.8
				105	2 P	—	—	0.5
				107	3 P	—	—	9.1
				106A	4 P	—	—	6.3
				106A	3 P	—	—	4.8
				106A } 106B }	1 P	—	—	13.9
				107	2 P	—	—	8.8
				107	1 P	—	—	3.5
				81	4 P	—	—	1.6
				80	0 P	—	—	14.4
4.	Dherand	Alibag	Raigad	71	4 P	—	—	5.0
				70	3 P	—	—	2.0
				70	2 P	—	—	15.1
				70	1 P	—	—	13.4
				49	3 P	—	—	18.9
				49	1 P	—	—	14.6
				50	1(1)P	—	—	6.0
				50	1(2)P	—	—	13.9
				56	4 P	—	—	1.0
				55	5 P	—	—	18.2
				55	4 P	—	—	13.1
				55	3 P	—	—	0.5
				54	4 P	—	—	4.0
				54	1 P	—	—	12.1
				54	2 P	—	—	1.0
				38	3 P	—	—	0.5
				38	4 P	—	—	14.9
				38	2 P	—	—	11.8
				53	1 P	—	—	0.2
				39	1 P	—	—	24.2
				39	2 P	—	—	7.0
				35	3 P	—	—	1.0

1	2	3	4	5	6	7	8	9
4	Dherand (contd )	Alibag	Raigad	33	6 P	—	—	11 6
				33	7 P	—	—	8 6
				33	5 P	—	—	6 0
				40	1 P	—	—	2 0
				32	4 P	—	—	3 0
				32	3 P	—	—	20 2
				32	2 P	—	—	16 2
				30	6 P	—	—	7 0
				30	5 P	—	—	1 0

[C. No 34027/1/87-PC-III]

का घा 4112.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य में राज श्रीगांव तहसील अलिबाग जिला रायगड से गांव अहाबाज, तहसील अलिबाग, जिला रायगड तक पेट्रोलियम तेल अथवा तैलमिश्र गैस अथवा एल्क्यमेट अथवा अन्य खनिज पदार्थों के परिवहन के लिए पार्टी लाईन इंडियन पेट्रोकेमिकल्स कार्पोरेशन लिमिटेड महाराष्ट्र गैस अंकर काम्प्लेक्स विभाग बिलेपार्ले (प) सबसे गार भिछाई जाती आवुए ।

और यह यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिए एकाधिक अनुसूची में उपयोग का अधिकार का अंजन करना आवश्यक है ।

अन छह पेट्रोलियम और खनिज पार्टी लाईन (अभि में उपयोग के अधिकार का अंजन) अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंजित करने का अपना आदेश एतद्वारा धारित किया है ।

इसमें कि जहां अभि में हिनबड कोई व्यक्ति उस अभि के नीचे पार्टी लाईन बिछाने के लिए आशेष सक्षम प्राधिकारी इंडियन पेट्रोकेमिकल्स कार्पोरेशन लिमिटेड महाराष्ट्र गैस अंकर काम्प्लेक्स नागोठणा तहसील राहा जिला रायगड को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा ।

और ऐसा आशेष करने वाला हर व्यक्ति विनिश्चित यह भी रहने नरेगा कि क्या वह चाहता है कि उसकी सूचनाई व्यक्तिगत हो या किसी निजी व्यवसायी की मार्फत ।

## अनुसूची

पेट्रोलियम और खनिज पार्टी लाईन (अभि में उपयोग के अधिकार का अंजन) अधिनियम 1962 की धारा 3 उपधारा (1) अधिसूचना तारीख की अनुसूची

अ क्र	गांव का नाम	तहसील	जिला	सर्बे त	हिस्सा त	सट त	क्षेत्रफल है	आर
1	2	3	4	5	6	7	8	9
1 श्रीगांव		अलिबाग	रायगड	35	1 पी	—	—	5 8
				35	6 पी	—	—	19 2
				33	6 पी	—	—	3 0
				35	8 पी	—	—	6 0
				35	4 पी	—	—	4 0
				35	5 पी	—	—	2 5
				38	2 पी	—	—	0 8
				38	1 पी	—	—	7 5
				37	1 पी	—	—	3 0
2 बालवड		अलिबाग	रायगड	35	— पी	144 145	—	2 2
				38	1 पी	160	—	10 8
				11	1 पी	41	—	19 2
				11	3 पी	38	—	10 3
				12	5 पी	43	—	8 0
				9	3/3 पी	36	—	7 8
				9	3/1 पी	36	—	14.1
3 देहेणकोणी		अलिबाग	रायगड	88	1 पी	—	—	14 4
				88 <sup>1</sup>	2 पी	—	—	6 8
				94	1 पी	—	—	11 6
				94	2 पी	—	—	0.2
				94	3 पी	—	—	8 0
				94	4 पी	—	—	15 9
				92	2 पी	—	—	16 1
				91	1 पी	—	—	0 5
				91	3 पी	—	—	10 1

1	2	3	4	5	6	7	8	9
3	बेहेणकोणी (जागी)	अलिबाग	रायगड	91	4 पी	—	—	10 8
				98	0 पी	—	—	15 9
				4	4 पी	—	—	13 9
				4	2 पी	—	—	3 0
				5	0 पी	—	—	9 1
				3	1 पी	—	—	8 1
				3	2 पी	—	—	3 5
				15	5 पी	—	—	4 0
				15	4 पी	—	—	10 1
				15	1 पी	—	—	11 6
				15	2 पी	—	—	7 5
				15	1 पी	—	—	13 6
4	बागवडे	अलिबाग	रायगड	12	3 पी	—	—	2 7
				11	4 पी	—	—	36 4
				11	2 पी	—	—	20 2
				8	2 पी	—	—	15 3
5	श्याबाज	अलिबाग	रायगड	237	0 पी	—	—	4 9
				238	1 पी	—	—	1 2
				236	37 पी	—	—	10 3
				236	4 पी	—	—	1 1
				236	2 पी	—	—	20 2
				238	1 पी	—	—	4 0
				239	5 पी	—	—	16 1
				229	3 पी	—	—	5 3
				229	4 पी	—	—	7 5
				234	3 पी	—	—	13 9
				234	4 पी	—	—	7 8
				234	1 पी	—	—	16 6
				224	2 पी	—	—	12 1
				221	1 पी	—	—	8 0
				220	0 पी	—	—	11 8
				220	5 पी	—	—	14 9
				218	1 पी	—	—	16 9
				219	3 पी	—	—	16 1
				188	2 पी	—	—	31 5
				188	1 पी	—	—	16 6
				225	0 पी	—	—	1 0
				189	1 पी	—	—	18 7
				186	4 पी	—	—	7 4
				186	2 पी	—	—	12 1
				183	5 पी	—	—	3 5
				183	6 पी	—	—	3 3
				183	3 पी	—	—	3 1
				183	4 पी	—	—	3 2
				183	1 पी	—	—	12 1
				182	1 पी	—	—	9 1
				182	2 पी	—	—	5 0
				181	6 पी	—	—	3 7
				181	3 पी	—	—	13 9
				183	3 पी	—	—	2 0
				162	0 पी	—	—	2 2
				169	7 पी	—	—	3 7
				171	4 पी	—	—	1 1



S.O. 2112—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum, oil, natural gas, effluent or any mineral from village Shrigion Tahsil Alibagh District Raigarh to village Shahab Tahsil Alibagh District Raigarh in the State of Madhya Pradesh, pipelines should be laid through the land of the Indira Petroleum Corporation Limited, Madhya Pradesh, Cracker Complex Division, Village (W) Bomnag.

And whereas it appears to the Central Government that for the purpose of laying such pipelines it is necessary to acquire the right of user in the lands described in the schedule annexed hereto.

Now therefore in exercise of the powers conferred by subsection (1) of Section 3 of the Petroleum and Minerals

Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby notifies the intention to acquire the right of user in the lands referred to in the schedule.

Any person interested in the said lands having any objection to laying the pipelines through the said lands may prefer an objection within 21 days from the date of the notification to the Competent Authority, Indian Petrochemicals Corporation Limited, Madhya Pradesh Cracker Complex Division, Naotonia Tehsil Roha District Raigarh.

Any person making such an objection shall state specifically whether he wishes to be heard in person or by a legal practitioner.

#### SCHEDULE

Schedule to Notification under Section 3(1) of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962

#### SCHEDULE

Sr. No.	Name of Village	Tahsil	District	Survey No.	Hisst. No.	Cat. No.	Area H.	Area R.
1	2	3	4	5	6	7	8	9
1	Shrigion	Alibagh	Raigarh	35	1 P			5.8
				35	6A P			10.2
				35	6D P			3.0
				35	6F P			6.0
				35	4 P			1.0
				35	5 P			2.5
				38	2 P			0.5
				38	1 P			7.5
2	Kawad	Alibagh	Raigarh	37	1 P			3.0
				35	P	144	145	2.2
				35	1 P	160		30.8
				11	1 P	41		19.2
				11	3 P	38		10.3
				12	5 P	43		8.0
				9	3.2 P	36		7.8
				9	3.1 P	36		14.1
3	Deharon	Alibagh	Raigarh	88	1 P			14.4
				88	2 P			6.8
				94	1 P			11.6
				94	2 P			0.2
				94	3 P			8.0
				94	4 P			15.9
				92	2 P			16.1
				91	2 P			0.5
				91	3 P			10.1
				91	4 P			10.8
				98	0 P			15.9
				4	4 P			13.9
				4	2 P			3.0
				5	0 P			9.1
				3	1 P			8.3
				3	2 P			3.5
4	Wavale	Alibagh	Raigarh	15	5 P			4.0
				15	1 P			10.3
				15	3 P			11.6
				15	2 P			7.5
				15	1 P			18.9
				12	3 P			2.7
				11	4 P			36.4
				11	2 P			1.0
				8	2 P			



1	2	3	4	5	6	7	8	9
					3 पा	-		2 0
					3 पा	-		15 1
				22	2 पा	-		1
				33	6 पा	-		5
				33	3 पा	-		17 7
				33	4 पा	-		8 6
				20	1 पा	-		1
				20	3 पा	-		14. 9
				20	3 पा	-		6 3
				20	1 पा	-		8 3
				18	13 पा	-		2 7
				18	12 पा	-		1 7
5. गुणवत्ता	असिद्धाग	राजगड	9	1 पा	-			17 9
			10	7 पा	-			2 0
			11	8 पा	-			1 2
			14	0 पा	-			1 0
			3	0 पा	-			14 4
1. संशोधन	असिद्धाग	राजगड	58	0 पा	-			6 5
			57	0 पा	-			16 7
			62	0 पा	-			5 3
			63	11 पा	-			1 3
			63	0 पा	-			0
			70	0 पा	-			5
			70	10 पा	-			3 1
			71	11 पा	-			10 1
			70	12 पा	-			3
			70	13 पा	-			1 3
			71	1 पा	-			1
			69	7 पा	-			18 1
			69	5 पा	-			1 2
			69	8 पा	-			6 3
			69	3 पा	-			3 2
				13 पा	-			18 2
			3	11 पा	-			1
			3	12 पा	-			3 0
				1 पा	-			11 1
				1 पा	-			28 0
			8	2 पा	-			12 3
			8	3 पा	-			10. 3
			8	1 पा	-			0
			13	2 पा	-			2 7
			13	4 पा	-			1 1
			13	3 पा	-			9 1
			15	4 पा	-			11 8
			15	6 पा	-			0 5
			15	5 पा	-			1 7
			15	2 पा	-			7 5
			15	3 पा	-			21 2
			15	1 पा	-			6 0
5. भाषांतर	असिद्धाग	राजगड	82	3 पा	-			9 3
			83	ए पा	-			11 5

S.O. 2113—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum oil, natural gas, effluent or any minerals from village Mapgion Tahsil Alibagh, District Raigad to village Boris Tahsil Alibagh District Raigad in the State of Maharashtra pipelines should be laid through the agency of Indian Petrochemical Corporation Limited, Maharashtra Gas Cracker Complex Division Vile Parle (W), Bombay.

And whereas it appears to the Central Government that for the purpose of laying such pipeline it is necessary to acquire the right of user in the lands described in the schedule annexed hereto.

Now therefore in exercise of the powers conferred by subsection (1) of Section 3 of the Petroleum and Minerals

Pipe Lines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby notify their intention to acquire the right of user in the lands referred to in the schedule;

Any person interested in the said lands having any objection for laying the pipelines through the said lands may prefer in objection within 21 days from the date of the notification, to the Competent Authority Indian Petrochemical Corporation Limited Maharashtra Gas Cracker Complex Division Nagothane Tahsil Roha, District Raigad.

And every person making such an objection shall state specifically whether he wishes to be heard in person or by a legal practitioner.

#### SCHEDULE

Schedule to Notification under Section 3(1) of the Petroleum and Minerals Pipe Lines (Acquisition of Right of user in land) Act, 1962

#### SCHEDULE

Sl. No.	Name of the village	Tahsil	District	Survey No.	Hissa No.	Gat No.	H	Area R
1	2	3	4	5	6	7	8	9
1	Boris	Alibagh	Raigad	69	0 P			24 0
				103	0 P			48 0
2	Guntis	Alibagh	Raigad	9	1 P			20 9
				9	6 P			4 3
				9	5 P			22 0
				22	3 P			15 4
				22	2 P			0 2
				53	6 P			2 5
				53	5 P			17 7
				53	4 P			8 6
				20	1 P			1 2
				20	3 P			14 9
				20	3 P			6 3
				29	4 P			8 6
				18	13 P			2 7
				18	11 P			0 7
	Munavali	Alibagh	Raigad	59	0 P			17 9
				40	7 P			2 0
				40	8 P			4 2
				41	0 P			1 0
				2	0 P			14 4
4	Soguen	Alibagh	Raigad	58	0 P			6 5
				57	0 P			46 7
				62	0 P			6 3
				63	11 P			21 2
				69	9 P			9 6
				70	9 P			5 3
				70	10 P			3 0
				70	11 P			10 1
				70	12 P			3 2
				70	13 P			4 3
				71	1 P			1 2
				69	7 P			18 9
				69	5 P			1 2
				69	8 P			6 3
				69	3 P			1 2
				3	13 P			1 2
				3	14 P			7 0
				3	12 P			3 0
				2	1 P			14 1
				7	1 P			28 0
				8	2 P			12 3
				8	3 P			10 3
				8	4 P			0 2

1	2	3	4	5	6	7	8	9
4	Sogaon	Alibag	Raigad	15	4 P	—	—	11 3
				15	6 P	—	—	0 5
				15	5 P	—	—	1 7
				15	2 P	—	—	27 8
				15	3 P	—	—	21 2
				17	1 P	—	—	6 0
5	Mapgaon	Alibag	Raigad	82	3 P	—	—	9 3
				83	Δ P	—	—	10 8

[F. No. 34027 1/87-PC III]

का. अ. 2111: यह वार्षिक मन्त्रार का यह प्रश्नोत्तर है कि लोकपाल में यह आवश्यक है कि महाराष्ट्र राज्य में गांव बांधोली, तहसील अजिबाग, जिला रायगड से गांव तगरसुरे, तहसील अजिबाग, जिला रायगड तक पैट्रोलिंगम में मेल अथवा तैरागिक गैस अथवा एक्जुट अथवा अथवा तैराग पदार्थों के परिवहन के निम्न पाह्य लाइन दृष्टिगत गैडार्किमिक्लस अथवा रिजिस्ट्रार लिमिटेड महाराष्ट्र गैस अथवा वायुमय विभाग, विनपासे (प) मन्त्र द्वारा निर्धारित जाली वाहनों ।

और यन् मनु प्रवीण जाना है कि ऐसा जाहानो का बिजियान न प्रयोगन क विना गुनगुणावत सत्त्वर्था मे वर्णित भूमि मे उपराग भूषा अविचार प्रतिभ  
कटना प्रावश्यक हे ।

अतः इस पैरोमिडियम और खनिज पादप ग्राहक (शुक्ति म उपयोग के अधिकांश का प्रजनन) आर्बुसिडियम 1962 (1962 का 60) की धारा 3 का उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उक्त उपयोग का अधिकांश अर्जित करने का अपना आशय एवं उद्देश्य व्यक्त किया है।

अर्णत वि उक्त भूमि मे हिनसदर कोई ध्यनित उस भूमि के नीचे पाइप लाइन बिछाने के लिये आक्षेप मसम प्राधिकारी। द्रविचन पैट्रोकोमिकला कापीरेशन, लिमिटेड गहारादु गैस अकर बाम्प्लेकम, मागोटणा वहमीस रोहा जिमा गयगदु को इस आग्रिगुचना की तारीख से 21 दिना के अतिर बर गनेगा ।

और ऐसा आशय कर्मों वाला हर व्यक्ति चिन्तित रहें यह भी कथन करेंगे कि क्या वह जानता है कि उसका मनवाई आयितगत है या किसी विशिष्ट व्यवसायी की माफत ।

अन गृही

पैट्रोलियम और खनिज पोषक वाहन (भूमि से उपयोग के अधिकार का प्रवेश) अधिनियम 1962 का प्रांग 3 उपधारा (1) द्वारा संशोधन नामक नवीन का प्रस्ताव।

क्र.सं.	गाव का नाम	तहसील	जिल्हा	सर्वे नं.	हिस्सा नं.	य.स.	क्षेत्र	आर
1	2	3	4	5	6	7	8	9
1	बागसी	बागसी	बागसी	12	0	पा	-	13.4
				16	2	पा	-	13.6
				17	2	पा	-	14.9
				22	0	पा	-	18.2
				18	1	पा	-	18.2
				17	0	पा	-	0.5
				16	2	पा	-	6.3
				13	0	पा	-	10.1
				13	0	पा	-	13.6
				12	3	पा	-	1.5
				12	11	पा	-	24.5
				11	0	पा	-	3.7
				9	0	पा	-	16.9
				36	3	पा	-	8.0
2	बागसी	बागसी	बागसी	113	0	पा	-	9.1
				10	0	पा	-	5.5
				106	1	पा	-	1.3
				136	3	पा	-	8.1
				135	0	पा	-	3.5
				137	0	पा	-	31.4
				138	5	पा	-	1.7

2	3	4	5	6	7	9
नामांक	विकास	प्रभाग	प्रभाग	प्रभाग	प्रभाग	प्रभाग
			136	2	पा	14 1
			138	3	पा	4 0
			138	14	पा	14 1
			70	3	पा	3 0
			71	0	पा	1 0
			108	7	पा	18 7
			109	15	पा	2 5
3 भाषा	प्रभाग	प्रभाग	35	0	पा	0 5
			31	1	पा	10 8
			31	2	पा	29 2
			32	1	पा	29 4
			32	2	पा	5 3
			33		पा	13 1
			33	1	पा	0 2
			8	1	पा	2 0
			8	1	पा	2 5
			8	7	पा	10 3
			9	0	पा	25 0
			7	0	पा	18 4
			7	0	पा	1 5
			10	0	पा	3 0
			30	1	पा	2 1
			30	2	पा	1 3
4 भाषा	प्रभाग	प्रभाग	22	7	पा	3 0
			22	1	पा	10 1
			22	3	पा	9 5
			37	1	पा	7 0
			37	2	पा	1 0
			36	0	पा	0 5
			38	1	पा	7 0
			38	3	पा	6 0
			38	2	पा	1 5
			38	2	पा	0 5
			39	1	पा	1 2
			40	1/2	पा	6 5
			40	5	पा	5 0
			44	0	पा	15 0
			135	5	पा	5 0
			135	1	पा	1 0
			16	0	पा	1 8
			17	5	पा	7 5
			47	7	पा	4 5
			47	8	पा	5 5
			50	1	पा	11 1
			52	4	पा	14 9
			52	6	पा	1 0
			52	7	पा	2 0
			52	1	पा	23 0
			53	2	पा	7 5
			58	3	पा	6 5
			60	2	पा	9 1
			82	0	पा	3 5
			85	1	पा	47 0
			82	2	पा	2 5

1	2	3	4	5	6	7	8	9
5	पदस्थ	अभिज्ञान	रायगढ़	11	12	पी	-	4 5
				1		पी	-	10 8
				11	1	पी	-	4 8
				1	5	पी	-	5
					9	पी	-	2
					12	1	-	11 1
				12	15	पी	-	5 0
				12	17	पी	-	1 1
				12	15	पी	-	0 5
				12	16	पी	-	0 5
				18	1	पी	-	0 5
				58	10	पी	-	13 9
				19	1	पी	-	4 0
				7	2	पी	-	19 2
				22	1	पी	-	8 3
				22	1	पी	-	0 4
				70	1	पी	-	7 0
				10	2	पी	-	9 1
6	भिरगोरा	अभिज्ञान	रायगढ़	20	1 1 2	पी	-	2 0
				20	5	पी	-	0 5
				21	3	पी	-	14 4
				22	1	पी	-	18 2
				23	1	पी	-	0 5
				23	2	पी	-	20 5
				24	4	पी	-	2 2
				26	1	पी	-	9 8
				26	3 + 6	पी	-	7 8
				26	4 1 7	पी	-	5 8
				26	8	पी	-	9 5
				27	5	पी	-	14 1
				30	4	पी	-	2 7
				30	2	पी	-	2 0
				30	3	पी	-	17 7
				30	2	पी	-	15 1
				32	2	पी	-	30 3
				32	1	पी	-	5 0
				37	0	पी	-	5 5
7	बोहरागा	अभिज्ञान	रायगढ़	50		पी	-	1 0
				50	0	पी	-	1 0
				55	12	पी	-	0 2
				5	21	पी	-	3 0
				55	3	पी	-	16 1
				55	12	पी	-	2 2
				14	1	पी	-	0 0
				1	1	पी	-	0 7
				1	1	पी	-	1 2
				30	2	पी	-	15 1
				53	5	पी	-	11 1
				11	1	पी	-	3 0
				42	2	पी	-	17 1
				42	1	पी	-	10 3
				12	3	पी	-	5 4
				63	1	पी	-	1 7

1	2	3	4	5	6	7	8	9
7	बिरोले-वारी			63	2	पी	---	11 8
				2	2	पी	---	0 0
				4	1	पी	---	3
मावडा	साँखाम	सावना		1	1	पी	---	11 3
				4	1	पी	---	0
				8	6	पी	---	5 0
				88	7	पी	---	7
				88	6	पी	---	1 8
				80	1	पी	---	6 3
				89	3	पी	---	6 0
				91	3	पी	---	6 0
				91	2	पी	---	1 2
				92	2	पी	---	15 9
				92	1	पी	---	8 3
				91	5	पी	---	7 5
				81	1	पी	---	10 8
				83	0	पी	---	16 4
				82	3	पी	---	9 0
				81	4	पी	---	5 0
				81	7	पी	---	0 5
				81	5	पी	---	10 1
				81	1	पी	---	3 0
				80	1	पी	---	2 5
				80	7	पी	---	2 0
				80	10	पी	---	4 0
				80	9	पी	---	0 5
				77	1	पी	---	9 3
				7	1	पी	---	10 1
				76	1	पी	---	3 2
				63	1	पी	---	5 8
				63	10	पी	---	5 7
					3			
				65	1	पी	---	10 1
				65	1	पी	---	5 3
				73	1	पी	---	4 5
				72	0	पी	---	17 2
				71	1	पी	---	12 4
				71	2	पी	---	1 2
				66	0	पी	---	5 3
मावडा	अलिबाग	सावना		60	2	पी	---	03 2
				63	1	पी	---	05 5
				63	2	पी	---	0 5
				63	4	पी	---	05 0
				63	3	पी	---	09 6
				64	1	पी	---	0 5
				64	1	पी	---	0 0
				61	4	पी	---	10 1
				41	1	पी	---	14 6
				41	2	पी	---	15 6
				42	2	पी	---	17 9
				42	1	पी	---	05 5
				41	0	पी	---	02 2
				46	1	पी	---	00 5
				47	1	पी	---	78 1



1	2	3	4	5	6	7	8	9
				86	0	पी	---	10.1
				32	13	पी	---	05.0
				32	11	पी	---	03.0
				30	0	पी	---	10.1
				26	0	पी	---	05.5
				25	0	पी	---	04.8
				24	5	पी	---	19.4
				24	6	पी	---	12.6
				15	0	पी	---	02.2
				14	0	पी	---	11.1
				13	0	पी	---	13.1
10	सतिर्ज	अलिबाग	रायगड	107	1बी	पी	---	21.2
				30	0	पी	---	04.3
				103	0	पी	---	18.2
				104	1	पी	---	09.1
				104	2	पी	---	17.2
				102	0	पी	---	27.8
				101	3	पी	---	09.3
				95	0	पी	---	04.0
				143	0	पी	---	09.1
				94	1ई	पी	---	02.2
				94	1सी	पी	---	03.5
11.	आमणसुरे	अलिबाग	रायगड	23	1	पी	---	02.2
				24	2	पी	---	05.5
				24	3	पी	---	09.1
				25	ए	पी	---	33.5
				25	बी	पी	---	103.5
				15	1	पी	---	16.9
				15	2	पी	---	06.8
				29	0	पी	---	48.4
				26	1	पी	---	17.9
				31	1	पी	---	02.7
				31	2	पी	---	00.2
12	किराड	अलिबाग	रायगड	---	---	522	---	09.8
13	आमणसुरे	अलिबाग	रायगड	4	12	पी	---	03.5
				6	1	पी	---	13.5

[फा. सं. 34027/1/87-पी सी-II]

ए. के. गुप्ता, डेस्क अधिकारी।

S.O. 2114.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum, oil, natural gas, effluent or any mineral from village Vagholi, Tahsil Alibagh, District Raigad to village Agarsure, Tahsil Alibagh, District Raigad in the State of Maharashtra, pipelines should be laid through the arenc of Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex Division Vile Parle (W), Bombay;

And whereas, it appears to the Central Government that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the lands described in the schedule annexed hereto ;

Now, therefore in exercise of the powers conferred by sub-section (i) of Section 3 of the Petroleum and Minerals 712 GI/87—4

Pipe Lines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby notify their intention to acquire the right of user in the lands referred to in the schedule;

Any person interested in the said lands having any objection for laying the pipelines through the said lands may prefer an objection within 21 days from the date of the notification, to the Competent Authority, Indian Petrochemicals Corporation Limited Maharashtra Gas Cracker Complex Division, Nagothane, Tahsil Roha, District Raigad.

And every person making such an objection shall state specifically whether he wishes be heard in person or by a legal practitioner.

## SCHEDULE

Schedule to Notification under Section 3(1) of the Petroleum and Minerals Pipe Lines (Acquisition of Right of user in land) Act, 1962

Sl. No.	Name of the Village	Tahsil	District	Survey No.	Hissa No.	Gat. No.	H.	Area R.
1	2	3	4	5	6	7	8	9
1.	Waghhol.	Alibag	Raibad	32	0 R	—	—	13.4
				36	2 P	—	—	15.6
				35	2 P	—	—	14.9
				22	0 P	—	—	19.2
				18	1 P	—	—	19.2
				17	0 P	—	—	0.5
				16	2 P	—	—	6.3
				13	0 P	—	—	10.1
				13	0 P	—	—	13.6
				12	3 P	—	—	1.5
				12	11 P	—	—	24.5
				11	0 P	—	—	3.7
				9	0 P	—	—	16.9
				36	1 P	—	—	6.0
2.	Kamark	Alibag	Raigad	133	0 P	—	—	9.1
				136	2A P	—	—	28.8
				136	1 P	—	—	1.5
				136	3 P	—	—	9.1
				135	0 P	—	—	3.5
				137	0 P	—	—	34.4
				138	5 P	—	—	1.7
				138	2 P	—	—	14.4
				138	3 P	—	—	4.0
				138	1B	—	—	14.1
				70	4C P	—	—	5.0
				71	0 P	—	—	1.0
				108	7 P	—	—	18.7
3.	Bhaimala	Alibag	Raigad	108	15 P	—	—	2.5
				35	0 P	—	—	0.5
				31	1 P	—	—	10.8
				31	2 P	—	—	29.2
				32	1 P	—	—	29.3
				32	2 P	—	—	8.3
				33	2 P	—	—	13.1
				33	4 P	—	—	0.2
				8	1 P	—	—	2.0
				8	6 P	—	—	7.5
				8	7 P	—	—	10.3
				9	0 P	—	—	25.0
				7	0 P	—	—	18.4
				7	0 P	—	—	1.5
				12	0 P	—	—	3.0
4.	Talavade	Alibag	Raigad	30	1 P	—	—	9.1
				30	2 P	—	—	4.3
				22	7 P	—	—	3.0
				22	2 P	—	—	10.1
				22	3 P	—	—	9.3
				37	1 P	—	—	7.0
				37	2 P	—	—	4.0
				36	0 P	—	—	0.5
				38	4 P	—	—	7.0
				38	3 P	—	—	6.0
				H 38	2B P	—	—	4.3
				38	2A P	—	—	0.5
				39	4 P	—	—	1.2
				39	4/2 P	—	—	3.5
				39	5 P	—	—	5.0
				44	0 P	—	—	13.6

1	2	3	4	5	6	7	8	9
				155	5 P	—	—	5.0
				155	4 P	—	—	1.2
				49	0 P	—	—	4.8
				47	5 P	—	—	7.5
				47	7 P	—	—	4.3
				47	8 P	—	—	4.3
				50	1 P	—	—	14.1
				52	4 P	—	—	14.9
				52	6 P	—	—	1.2
				57	7 P	—	—	2.7
				58	1 P	—	—	23.0
				58	2 P	—	—	7.3
				58	3 P	—	—	6.5
				80	2A P	—	—	9.1
				83	0 P	—	—	3.5
				85A	— P	—	—	47.0
				82	2 P	—	—	2.5
5. Parhoor	Alibag	Raigad		31	1B P	—	—	4.5
				31	2 P	—	—	10.8
				31	4 P	—	—	4.8
				31	5 P	—	—	5.3
				32	9 P	—	—	3.2
				32	12 P	—	—	10.1
				32	13 P	—	—	5.0
				32	17 P	—	—	1.0
				32	15 P	—	—	0.5
				32	16 P	—	—	0.5
				58	1A P	—	—	0.5
				58	1B P	—	—	3.9
				59	3 P	—	—	4.0
				72	2 P	—	—	19.2
				72	1 P	—	—	8.3
				72	4 P	—	—	0.2
				70	1 P	—	—	7.0
				70	2 P	—	—	9.1
				20	1+2 P	—	—	2.0
				20	5 P	—	—	0.5
				21	3 P	—	—	4
				22	1 P	—	—	2
				23	1 P	—	—	5
				23	2 P	—	—	7
				23	4 P	—	—	2
				26	1 P	—	—	8
				26	3+6 P	—	—	3
				26	4+7 P	—	—	1
				26	8 P	—	—	3
				27	5 P	—	—	1
				30	4 P	—	—	2.7
				30	2 P	—	—	2.0
				30	5 P	—	—	17.7
				30	7 P	—	—	15.1
				32	2 P	—	—	30.3
				32	1 P	—	—	8.0
				33	0 P	—	—	6.5
7. Bahirole	Alibag	Raigad		56	8 P	—	—	1.0
				56	9 P	—	—	4.0
				55	17 P	—	—	0.2
				55	21 P	—	—	3.0
				55	3 P	—	—	16.1
				55	19 P	—	—	2.7
				54	0 P	—	—	9.0
				39	1 P	—	—	0.7
				39	4 P	—	—	1.2
				39	2 P	—	—	15.1

1	2	3	4	5	6	7	8	9
				53	5 P	—	—	11.1
				41	1 P	—	—	3.0
				42	2 P	—	—	17.4
				42	1 P	—	—	10.3
				42	3 P	—	—	5.3
				63	1 P	—	—	1.7
				63	2 P	—	—	11.8
				23	2 P	—	—	6.0
				43	2 P	—	—	5.3
8. Margaon	Alibag		Raigad	86	1 P	—	—	11.6
				88	3 P	—	—	6.0
				88	5 P	—	—	5.0
				88	7 P	—	—	3.7
				88	6 P	—	—	4.3
				89	1 P	—	—	6.3
				89	3B P	—	—	6.0
				91	3 P	—	—	6.0
				91	2 P	—	—	1.2
				92	2 P	—	—	15.9
				92	1 P	—	—	8.3
				84	5 P	—	—	7.5
				84	6 P	—	—	10.8
				83A	0 P	—	—	16.4
				82	3 P	—	—	9.0
				81	8 P	—	—	6.0
				81	7 P	—	—	0.5
				81	5A P	—	—	10.1
				81	1 P	—	—	3.0
				80	1 P	—	—	2.5
				80	7 P	—	—	2.0
				80	10 P	—	—	3.0
				80	9 P	—	—	0.5
				77	1 P	—	—	9.3
				77	1 P	—	—	0.1
				76	1 P	—	—	3.2
				64	2 P	—	—	5.8
				65	1A P	—	—	5.7
					3			
				65	1B P	—	—	0.1
				65	1A P	—	—	5.3
					2			
				73	1 P	—	—	4.5
				72	0 P	—	—	7.2
				71	1 P	—	—	7.4
				71	2 P	—	—	1.2
				96	0 P	—	—	5.3
9. Mushet	Alibag		Raigad	60	2 P	—	—	13.2
				63	1 P	—	—	5.5
				63	2 P	—	—	0.5
				63	4 P	—	—	15.0
				63	3 P	—	—	9.6
				61	2 P	—	—	15.5
				61	1 P	—	—	06.0
				61	4 P	—	—	10.1
				44	1 P	—	—	14.6
				44	2 P	—	—	15.6
				42	2 P	—	—	17.9
				42	1 P	—	—	05.5
				41	0 P	—	—	02.2
				46	1 P	—	—	00.5
				47	1 P	—	—	78.1
				86	0 P	—	—	10.1
				32	13 P	—	—	05.0
				32	11 P	—	—	03.0
				30	0 P	—	—	10.1

1	2	3	4	5	6	7	8	9
				26	0 P	—	—	05.5
				25	0 P	—	—	04.8
				24	5 P	—	—	19.4
				24	6 P	—	—	12.6
				15	0 P	—	—	02.2
				14	0 P	—	—	11.1
				13	0 P	—	—	13.1
10. Satirje	Alibag	Raigad		107	1B P	—	—	21.2
				130	0 P	—	—	04.3
				105	0 P	—	—	18.2
				104	1 P	—	—	09.1
				104	2 P	—	—	17.2
				102	0 P	—	—	27.8
				101	3 P	—	—	09.3
				95	0 P	—	—	04.0
				143	0 P	—	—	09.1
				94	1E P	—	—	02.2
				94	1B P	—	—	03.5
11. Banansure	Alibag	Raigad		23	1 P	—	—	02.2
				24	2 P	—	—	05.5
				24	3 P	—	—	09.1
				25	A P	—	—	33.5
				25	B P	—	—	03.5
				15	1 P	—	—	16.9
				15	2 P	—	—	06.8
				29	0 P	—	—	48.4
				26	1 P	—	—	17.9
				31	1 P	—	—	02.7
				31	2 P	—	—	00.2
12. Zirad	Alibag	Raigad		—	—	522	—	09.8
13. Agarsure	Alibag	Raigad		4	12 P	—	—	03.5
				6	1 P	—	—	13.5

[F. No. 34027/1/87-PC-III]

S. K. GUPTA, Desk Officer.

**पेट्रोलियम और प्राकृतिक गैस मंत्रालय**

नई दिल्ली, 10 जून, 1987

सा. प्रा. 2115—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में पेट्रोलियम और प्राकृतिक गैस मंत्रालय के अधीनस्थ सरकारी क्षेत्र के उपक्रमों के निम्नलिखित कार्यालयों को, जिनके कर्मचारियों ने हिन्दी का कार्य साधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

1. इजीनियर्स इंडिया लिमिटेड, 1 भीकाजी कामा प्लेस, नई दिल्ली-110066।
2. मुख्यालय, रिफाइनरीज एंड पाइप लाइन्स डिवीजन, (अध्यक्ष के कार्यालय सहित), इंडियन आयल कारपोरेशन लिमिटेड, जनपथ, नई दिल्ली।
3. डिस्ट्रिब्यूशन कार्यालय (मार्केटिंग डिस्ट्रिब्यूशन) इंडिया आयल कारपोरेशन लि., संजय प्लेस, महात्मा गांधी रोड, आगरा-282002।

[संख्या 11011(2)/87-हिन्दी]

कु. नीता बाली, उप सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 10th June, 1987

S.O 2115.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Languages (Use for official Purposes of the Union), Rules, 1976, the Central Government hereby notifies the

following offices of the Public Sector Undertakings of the Ministry of Petroleum and Natural Gas, the staff whereof have acquired the working knowledge of Hindi.

1. Engineers India Ltd., 1, Bhikaji Cama Place, New Delhi.
2. Head Office, Refineries and Pipelines Division (including Chairman's Office), Indian Oil Corporation Ltd., New Delhi.
3. Divisional Office, Marketing Division, Indian Oil Corporation Ltd., Sanjay Place, Mahatma Gandhi Road, Agra-282002.

[No. 11011(2)/87-Hindi]

Km. NITA BALI, Dy. Secy.

नई दिल्ली, 30 जुलाई, 1987

सा. प्रा. 2116—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में एस. एन. डी. और से उत्तर संधान सी. टी. एफ. तक पेट्रोलियम के परिवहन के लिए पाइप लाइन सेल तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एनदपापट्ट अनुसूची में बंणित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पार्श्व लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अथवा आदेश एनद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 का इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

#### अनुसूची

एल. एन. डी. आर से उत्तर संथाल सी. टी. एफ. तक पाइप लाइन बिछाने के लिए।

राज्य - गुजरात, जिला व तालुका - मेहसाणा

गांव	सर्वे नं.	हेक्टेयर	घारे.	सेन्टीयर
1	2	3	4	5
बलोड	1634	0	07	56
	1622/2	0	06	60
	1635	0	10	80
	1621/1	0	00	72
	1775	0	10	56
	1620	0	03	60
	1779	0	02	88
	1780	0	09	96
	1782	0	10	08

[स. ओ - 12016/36/87 - ओ एन जी डी - 4]

New Delhi, the 30th July, 1987

S.O. 2116.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SNDR to North Santhal CTF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this Notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner :

#### SCHEDULE

Pipeline from SNDR to North Santhal CTF

State : Gujarat District & Taluka : Mehsana

Village	Survey No.	Hec-tare	Are	Centi-are
Balod	1634	0	07	56
	1622	0	06	60
	1635	0	10	80
	1621	0	00	72
	1775	0	10	56
	1620	0	03	60
	1779	0	02	88
	1780	0	09	96
	1782	0	10	08

[No. O-12016/36/87-ONGC-D]

का. धा. 2117.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एल. एन. सी. एम. से बलोड-4 तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जाने चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि के उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने इसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा अभिव्यक्त किया है :

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत :

#### अनुसूची

एल. एन. सी. एम. से बलोड - 4 तक पाइपलाइन बिछाने के लिए।

राज्य - गुजरात : जिला व तालुका - मेहसाणा

गाव	सर्वे नं.	हेक्टेयर	घारे.	सेन्टीयर
1	2	3	4	5
बलोड	1782	0	01	80
	1783	0	06	36
	1784	0	09	72
	1790	0	07	80
	1791	0	08	16
	फाईट ट्रेक	0	00	96

[स. ओ - 12016/37/87 - ओ एन जी - डी 4]

S.O. 2117.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SNDR to Balod-4 in the Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this Notification object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner :

## Pipeline from SNCM to Balol-4

State : Gujarat District &amp; Taluka : Mehsana

Village	Survey No.	Hec- tare	Are	Centi- tare
B. lol	1782	0	01	80
	1783	0	06	76
	1784	0	09	77
	1790	0	07	80
	1791	0	08	16
	Can track	0	00	96

[No. O-120161/37/87-ONG-D-4]

का. आ. 2118:- यत केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एस. एन. सी. एम. से एस. एन. सी. एस. से बी-4 के पुराने धार. ओ. यू. तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यत: यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 का इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

## अनुसूची

एस. एन. सी. एम. से एस. एन. सी. एस. से बी-4 के पुराने धार.  
ओ. यू. तक पाइप लाइन बिछाने के लिए।

राज्य - गुजरात : जिला व तालुका - मेहसाना

गाँव	सर्वे न.	हेक्टेयर धारे.	सेन्टीयर
बलोल	1760	0	06 84

[सं. ओ- 12016/39/87 - ओएनजी - डी-4]

S.O. 2118—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SNC to SNCS to Old ROU of B-4 in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and

Minerlig Pipelines (Acquisition of Right of User in the Land) Act, 1962 (30 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this Notification object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction of Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner :

## SCHEDULE

Pipeline from SNCN to SNCS to old ROU of B-4

State : Gujarat District &amp; Taluka : Mehsana

Village	Survey No.	Hec- tare	Are	Centi- tare
Balol	1760	0	06	84

[No. O-12016/39/87-ONG-D4]

का आ. 2119:- यत. केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एस. एन. सी. एम. से एस. एन. सी. एम. से बलोल-4 तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यत: यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत :

## अनुसूची

एस. एन. सी. एम. से एस. एन. सी. एम. से बलोल-4 के पुराने धार. ओ. यू. तक पाइप लाइन बिछाने के लिए।

राज्य - गुजरात जिला व तालुका - मेहसाना

गाँव	सर्वे न.	हेक्टेयर धारे.	सेन्टीयर
सथाल	383	0	09 72
	382	0	09 24
	381	0	01 44

[सं. ओ- 12016/40/87 - ओएनजी - डी-4]

S. O. 2119.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SNCN to SNCS to Old ROU of Balol-4 in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declare its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this Notification object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda—390 009-

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practioner :

#### SCHEDULE

Pipeline from SNCN to SNCS to old ROU of Blol-4 .

State : Gujarat	District & Taluka : Mehsana			
Village	Survey No.	Hec-tare	Are	Centiare
Santhal	383	0	09	72
	382	0	09	24
	381	0	01	44

[No. O-12016/40/87-ONG-D4]

का. धा. 2120 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एम. एन. सी. एन. से एम. एन. सी. एन. से बलोल-4 तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है :

बशर्ते कि उक्त भूमि में किम्बद्ध कोई व्यक्ति, उस भूमि के सीधे पाइपलाइन बिछाने के लिए आशेष सशक्त प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 को हम अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिवृष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत :

#### अनुसूची

एम. एन. सी. एन. से एम. एन. सी. एन. से बलोल-4 के, पुराने भार. ओ. यू. तक पाइप लाइन बिछाने के लिए

राज्य - गुजरात जिला व तालुका - मेहसाणा

गांव	ब्लॉक नं.	हेक्टेयर	घा.र.	सेन्टीयर
कसलपुरा	584	0	09	36
	585	0	06	12
	582	0	05	82
	580	0	11	76
	579	0	07	08

[सं. ओ-12016/41/87 - ओ एन जी - सी 4]

S.O. 2120.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SNCN to SNCS to Old ROU of Balol-4 in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this Notification object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda—390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practioner :

#### SCHEDULE

Pipeline from SNCN to SNCS to Old ROU of Blol-4 .

State : Gujarat	District & Taluka : Mehsana			
Village	Block No.	Hec-tare	Are	Centiare
Kasalpura	584	0	09	36
	585	0	06	12
	582	0	05	82
	580	0	14	76
	579	0	07	08

[No. O-12016/41/87-ONG-D4]

का०आ० सं० 2121 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एस. एन. डी. एस. से एस. एन. ए. टी. (58) से एस. एस. सी. टी. एफ. तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।



बनते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे गन्धकालाइन बिछाने के लिए आवश्यक अधिकारों के तहत तथा प्राप्ति के लिए आवश्यक निर्माण और देखभाल प्रभाग सरकार द्वारा बजट-9 का इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशय करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी का माफन

#### घनसूची

एन एन डा एन स एन एन ए टी (58) के एन एन सी टी एक नव गन्धकालाइन बिछाने के लिए

राज्य - गुजरात जिला - ता. ता. - मेहसाणा

गांव	सर्वे नं	हेक्टेयर	आर	सेन्टीयर
सन्थाल	443/1	0	09	36
	485	0	10	80

[स. ओ. 12016/42 87 - गणतंत्र - डा. 4]

S.O. 2121 Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SNDI to SNAI (58) to SSCTH in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land as described in the schedule annexed hereto

Now therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein

Provided that any person interested in the said land may within 21 days from the date of this Notification object to the laying of the Pipeline under the Land to the Competent Authority Oil & Natural Gas Commission Construction & Maintenance Division Makarpura Road Vadodara (390009)

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner

#### SCHEDULE

Pipeline from SNDI to SNAI (58) to SSCTH

State Gujarat District & Taluka Mehsana

Village	Survey No	Hec-tare	Are	Cent-tue
Santhal	443/1	0	09	36
	485	0	10	80

[No. O-12016/42/87 ONG D4]

का आ. 2122 -यस केन्द्रीय सरकार का यह प्रतीक है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में ऐन के जी. जी. एन. [I] से एन के सी. टी. एक नव पेट्रोलियम के परिवहन के लिए गन्धकालाइन बिछाने तथा प्राप्ति के लिए आवश्यक निर्माण द्वारा बिछाई जाना चाहिए।

और यह यह प्रतीक होता है कि ऐसा चाहने को बिछाने के प्रयोजन के लिए गन्धकालाइन अधिसूची में वर्णित भूमि में उपाय का अधिकार अर्जित करना आवश्यक है।

712 G1 87-5

अतः अधिसूचित भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे गन्धकालाइन बिछाने के लिए आवश्यक अधिकारों के तहत तथा प्राप्ति के लिए आवश्यक निर्माण और देखभाल प्रभाग, सरकार द्वारा बजट-9 का इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशय करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी का माफन

#### घनसूची

एन के जी. जी. एन. [I] से एन के सी. टी. एक नव गन्धकालाइन बिछाने के लिए।

राज्य - गुजरात जिला - अहमदाबाद ता. ता. - विरमगाम

गांव	सर्वे नं	हेक्टेयर	आर	सेन्टीयर
1	2	3	4	5
बालमान	315/5	0	07	20
	416/2	0	03	60
	416/1	0	03	48
	416/1	0	04	20
	416	0	05	64
	447/47	0	01	44
	448/1	0	11	52
बाट टुन		0	03	00
	362/2	0	02	16
	360/1	0	05	29
	355	0	13	90
	354	0	04	32
	342/1	0	02	84
	347/2	0	04	08
	347/3	0	04	32
	349/1	0	02	40
	349/1	0	01	56
	349/1	0	06	60
	350/1	0*	04	44
	350/2	0	06	96
	346/1	0	08	52
	350/1	0	07	44
	343/1	0	00	60
	315	0	04	64
	314	0	13	76
	318	0	16	92
	298	0	17	40
	297	0	14	28
	296/2	0	07	92
	303/4	0	05	16
	303/2	0	01	44
	303/3	0	05	04

1	2	3	4	5
	304/	0	07	63
	306	0	11	13
	286	0	01	80
	285/1	0	01	20
	285/4	0	16	32
	284	0	01	68
	304/2	0	00	84
	231/5	0	07	80
	231/6	0	08	16
	232/2	0	01	68
	233/2	0	11	40
	233/1	0	02	40
	234/1	0	01	80
	234/2	0	02	40
	234/4	0	01	92
	235/2	0	05	88
	236	0	05	16
	237/2	0	06	12
	237/3	0	02	76
	238/3	0	02	52
	238/4	0	02	40
	238/5	0	02	28
	239/2	0	02	76
	239/3	0	06	36
	239/4	0	11	52
	239/5	0	05	10
	243/4	0	09	24
	244	0	04	32

[N O-12016/43/87--ओ. एन. ओ -डी.-4]

S.O. 2122.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from NK GGS II to NK CIF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may within 21 days from the date of this notification, object to the laying of the Pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra (390009)

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE						
Pipeline from NK GGS II to NK CIF						
State	Gujarat	District	Ahmedabad	Taluka	Viramgam	
Village			Survey No.	Hec-tare	Are	Cent-tiare
1			2	3	4	5
Balsasan			415/5	0	07	20
			416/2	0	03	60
			416/1	0	03	48
			416/3	0	01	20
			418	0	05	64
			447/4A	0	01	44
			448/A	0	11	52
			Cart track	0	03	00
			362/2	0	02	16
			360/1	0	05	28
			358	0	13	80
			354	0	04	32
			347/1	0	02	88
			347/2	0	04	08
			347/3	0	04	32
			349/1	0	05	40
			349/1	0	01	56
			349/1	0	06	60
			350/3	0	04	14
			350/2	0	06	96
			346/1	0	08	52
			350/1	0	07	44
			343/1	0	00	60
			315	0	04	68
			314	0	13	56
			318	0	16	92
			298	0	17	40
			297	0	14	28
			296/2	0	07	92
			303/4	0	05	16
			303/2	0	04	44
			303/3	0	05	04
			304/1	0	07	68
			306	0	11	16
			286	0	01	80
			285/1	0	01	20
			285/4	0	16	32
			284	0	01	68
			CT	0	00	84
			231/5	0	07	80
			231/6	0	08	16
			232/2	0	01	68
			233/2	0	11	40
			233/1	0	02	40
			234/1	0	01	80
			234/2	0	02	40
			234/4	0	01	92
			235/2	0	05	88
			236	0	05	16
			237/2	0	06	12
			237/3	0	02	76
			238/3	0	02	52
			238/4	0	02	40
			238/5	0	02	28
			239/2	0	02	76
			239/3	0	06	36
			239/4	0	11	52
			239/5	0	05	40
			243/4	0	09	24
			244	0	04	32

[No. O-12016/43/87--ONG-D4]

सा आ 2123—यह केंद्रीय सरकार को यह प्रतीत होता है कि लाबहित में यह आवश्यक है कि गुजरात राज्य में एस बी डी (स 99) से साभा जी जा एस-III तक पेट्रोलियम प रिबहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी लाइना को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

यह अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) का धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केंद्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आदेश एतद्द्वारा घोषित किया है।

अर्थात् कि उक्त भूमि में निम्नलिखित व्यक्ति, उक्त भूमि के नाम पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी, तब तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग मकापुरा रोड (390009) इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेंगे।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी करा करेगा कि क्या वह चाहता है कि उसकी मुनबार्ड व्यक्तिगत रूप से हो या किसी बिधि व्यवसायी की माफत।

#### अनुसूची

एस बी डी सा (एस-99) से साभा जी जा एस-III तक पेट्रोलियम पाइपलाइन बिछाने के लिए

राज्य—गुजरात, जिला व तालुका—महसाणा

गांव	मवेत	हैक्टर आर	मन्दीयर
जगुवन	417	0 05	28
	451	0 09	12
	450	0 10	56
	461	0 18	12
	468	0 13	56
	466	0 07	20
	465	0 03	12
	464	0 17	76

[स O--12016/44/87-आ ए आ-डी-4]

SO —2323—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SBOS (S-99 to SOBHA GGS II in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission

And whereas it appears that for the purpose of laying such pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto

Now, therefore, in exercise of the powers conferred by subsection (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein,

Provided that any person objecting to the said land may within 21 days from the date of this notification, object to the laying of the Pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division Mithapur Road Burodi (390009)

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner

#### SCHEDULE

Pipeline from SBDB (S-99) to Sobha GGS II  
State Gujarat District & Taluka Mahsa

Village	Survey No	He- tare	Are	Cent- tare
Jagudan	417	0 05	28	
	451	0 09	12	
	450	0 10	56	
	461	0 18	12	
	468	0 13	56	
	466	0 07	20	
	465	0 03	12	
	464	0 17	76	

[No O-12016/44/87 DNG-D4]

सा आ 2124—यह केंद्रीय सरकार को यह प्रतीत होता है कि लाबहित में यह आवश्यक है कि गुजरात राज्य में समजाव-5 से एस बी डी जा एस-III तक पेट्रोलियम प रिबहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी लाइना को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अब अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) का धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केंद्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आदेश एतद्द्वारा घोषित किया है।

अर्थात् कि उक्त भूमि में निम्नलिखित व्यक्ति, उक्त भूमि के नाम पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी, तब तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग मकापुरा रोड बडौदा 9 का इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेंगे।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी करेगा कि क्या वह चाहता है कि उसकी मुनबार्ड व्यक्तिगत रूप से हो या किसी बिधि व्यवसायी की माफत।

#### अनुसूची

समजाव 5 से एस बी डी जा एस-III तक पाइपलाइन बिछाने के लिए

राज्य—गुजरात जिला व तालुका—महसाणा

गांव	मवेत	हैक्टर आर	मन्दीयर
समजाव	541	0 03	12
	540	0 06	45
	539	0 09	04
बडौदा	548	0 00	1
	548 1	0 05	10
	548/2	0 04	53
	549	0 14	16

[स O-1 01314/87-आ ए आ-डी-4]

SO 2124—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SBDB (S-99) to SOBHA GGS II in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission subsection (1) of Section 3 of the Petroleum and

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto

Now, therefore in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein

Provided that any person interested in the said land may within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division Makarpura Road Vadodra (390 009)

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner

#### SCHEDULE I

##### Pipeline ASJOI-5 to NK GGS III

State	Gujarat	District & Taluka	Mehsana		
Village	Survey No	Hec- tare	Acre	Cen- tial	
Katasan	541	0	03	72	
	540	0	06	48	
	539	0	08	04	
	Cart track	0	00	48	
	548.1	0	05	40	
	548.2	0	04	68	
	549	0	14	16	

[No O-12016/45/87-ONG-D4]

अतः आ 2115 यत् कन्द्रीय सरकार का यह प्रतीत होता है कि लाफ़्टिन में यह आवश्यक है कि गुजरात राज्य में एन के डी एम एन के जी सी एम-III तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तब तथा प्राकृतिक गैस आयाग द्वारा बिछाई जानी चाहिए।

और यत् यह प्रतीत होता है कि ऐसी लाइन्स का बिछाना व प्रयोजन के लिए एन.डी.ए.डी. अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की प्रांग 3 की उपप्रांग (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कन्द्रीय सरकार ने इसमें उपयोग का अधिकार अर्जित करने का अपना आदेश एन.डी.ए.डी. द्वारा बांतिन किया है।

अतः कि उनल भूमि में निम्नलिखित व्यक्ति उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप रखने प्राधिकारी नेल तथा प्राकृतिक गैस आयाग, निमाण और दखभाल प्रभाग मकरपुरा राड बड़ोदा-9 का इस अधिसूचना की तारीख से 21 दिनों के भीतर कर अवगा।

और एसा आक्षेप करने वाला हर व्यक्ति बिनिदिष्टन यह भी कथन करगा कि क्या यह बड़ चाहता है कि उसकी सुनवाई ब्यक्तिगत रूप से हो या किसी निधि अवभागी की बाधन।

एन के डी एम एन के जी सी एम-III तक पाइप लाइन बिछाने के लिए  
राज्य गुजरात जिला ब तालुका महसना

गाव	सब न	हक्टर	आर	सन्टीयर
धनपुरा	611/1	0	03	00
	611/2	0	04	80
	612	0	10	32
	613	0	09	36
	614	0	10	32
	615	0	10	08
	499	0	10	36
	500	0	04	32

[म O-12016/46/87- आ एन ज -डी-4]

S.O. 2125—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from NKDU to NK GGS III in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission

And whereas it appears that for the purpose of laying such pipe line it is necessary to acquire the Right of User in the land specified in the Schedule annexed hereto.

Now therefore in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipe line under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Baroda-390009

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner

#### SCHEDULE II

##### Pipeline from NKDU to NK GGS III

State	Gujarat	District & Taluka	Mehsana		
Village	Survey No	Hec- tare	Acre	Cen- tial	
Dhaupura	611	0	03	00	
	611/2	0	04	80	
	612	0	10	32	
	613	0	09	36	
	614	0	10	32	
	615	0	10	08	
	499	0	10	36	
	500	0	04	32	

[No. O-12016/46/87-ONG-D4)]

अतः आ 2126 यत् कन्द्रीय सरकार का यह प्रतीत होता है कि लाफ़्टिन में यह आवश्यक है कि गुजरात राज्य में एन के डी एम एन के जी सी एम-III तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तब तथा प्राकृतिक गैस आयाग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों का बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या यह चाहता है कि उसकी गुनवाई व्यक्तिगत रूप से हो या किसी बिधि आबकारी की माफ़ेत।

#### अनुसूची

एम. एन. डी. जे. से एम. एस. सी. टी. एक तक पाइप लाइन बिछाने के लिए

राज्य:—गुजरात, जिला:—तामुका—मेहसाना

गांव	सर्वे नं.	हेक्टेयर	घारे.	सेन्टीयर
संथाल	612/2	0	01	80
	607/2	0	12	72
	648	0	12	84
	651	0	04	56

[स. O--12016/47/87--आ. एन. जी.-डो.-4]

S.O. 2126.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SNDJ to SS. CTF in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipe line under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Baroda-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

#### SCHEDULE

#### PIPELINE FROM SNDJ TO SS. CTF.

State : Gujarat District & Taluka : Mehsana

Village	Survey No.	Hect- tare	Are Cent- tural
Santhal	612/2	0	01 80
	607/2	0	12 72
	648	0	12 84
	651	0	04 56

[No. O-12016/47/87--ONG--D4]

का. आ. 2127—यतः केन्द्रीय सरकार का यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एम. एस. सी. टी. से एम. एस. सी. टी. एक तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों का बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या यह चाहता है कि उसकी गुनवाई व्यक्तिगत रूप से हो या किसी बिधि आबकारी की माफ़ेत।

#### अनुसूची

एम. एन. डी. जे. से एम. एस. सी. टी. एक तक पाइप लाइन बिछाने के लिए

राज्य:—गुजरात, जिला:—तामुका—मेहसाना

गांव	सर्वे नं.	हेक्टेयर	घारे.	सेन्टीयर
कमलपुरा	508	0	12	00
	509	0	10	80
	513	0	07	88
	537	0	01	00

[स. O--12016/48/87--मो एन. जी.-डो.-4]

S.O. 2127.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SNDJ to SS. CTF in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto:—

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962, (50 of 1962) the Central Government hereby declares its intention to acquire the Right of User therein:

Provided that any person interested in the land may, within 21 days from the date of this notification, object to the laying of the pipe line under the land to the Competent Authority Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road Baroda-390 009

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner

#### SCHEDULE

##### PIPELINE FROM SNDJ TO S S CTF

State Gujarat District & Taluka Mehsana

Village	Block No	Hec- tare	Acre	Centi- tare
Kasalpura	808	0	12	00
	809	0	10	80
	813	0	07	88
	857	0	04	00

[No O-12016/48/87-ONG-D4]

का आ 2128 --यह केन्द्रीय सरकार का यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एन एन डी जी (105) से एन एन डी जी तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी खासता को बिछाने के प्रयोजन के लिए एनएनडी प्रतिसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियाँ का प्रयोग करते हुए, केन्द्रीय सरकार ने इसमें उपयोग का अधिकार अर्जित करने का अपना आशय स्पष्टतापूर्वक घोषित किया है।

अर्थात् कि उक्त भूमि में हितवन्त कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप राक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग निर्माण और विकास प्रभाग मन्त्रालय राज, बड़ीदा 9 का इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकता है।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

#### अनुसूची

एन एन डी जी (105) से एन एन डी जी तक पेट्रोलियम के लिए पाइपलाइन बिछाने के लिए

राज्य--गुजरात जिला व तालुका--महसना

गांव	सर्वत	हक्कदार	घर	सेन्द्रीय
मुठाना	1420	0	00	12
	1419	0	08	88
	1417	0	06	36
	1416	0	13	92

[No O-12016/49/87-ओ एन जी-डी-4]

S O 2128—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SNDG (105) to S S CTF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto

Now therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962), (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein,

Provided that any person interested in the said land may, within 21 days from the date of this notification, objection to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-390009

Any every person making such an objection shall also state specifically whether he wished to be here in person or by legal practitioner

#### SCHEDULE

##### PIPELINE FROM SNDG (105) TO S S CTF

State Gujarat District & Taluka Mehsana

Village	Survey No	Hec- tare	Acre	Centi- tare
Iotana E	1420	0	0	96
	1419	0	08	88
	1417	0	06	36
	1416	0	13	92

[No O-12016/49/87-ONG-D4]

का आ 2129 --यह केन्द्रीय सरकार का यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एन एन डी जी से मुठाना, जो एन एन डी जी तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी खासता को बिछाने के प्रयोजन के लिए एनएनडी प्रतिसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियाँ का प्रयोग करते हुए, केन्द्रीय सरकार ने इसमें उपयोग का अधिकार अर्जित करने का अपना आशय स्पष्टतापूर्वक घोषित किया है।

अर्थात् कि उक्त भूमि में हितवन्त कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप राक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग निर्माण और विकास प्रभाग मन्त्रालय राज, बड़ीदा 9 का इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकता है।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

## अनुसूची

जो एन. डी. एन. में सुझाया जाे जाे, एन. तक पाइप लाइन बिछाने के लिए

राज्य: गुजरात जिला व तालुका मेहसाणा

गांव	सर्वे न.	हेक्टेयर	आर.	सेन्टीयर
झुडावा	1517/4	0	01	32
	1511	0	09	24
	1512	0	05	40
	1508	0	06	22
	1504	0	09	96
	1503	0	09	48
	1502	0	10	56
	1495	0	03	96

[नं. O-12016/50/87-आ. एन. जी. डी. -1]

S.O. 2129 — Whereas it appear to the Central Government that it is necessary in the public interest that for the transport of petroleum from JNDH to JOTANA G.G.S. in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas, it appears that for the purpose of laying such pipe line, it is necessary to acquire the Right Of User in the land described in the Schedule annexed hereto

Now, therefore, in exercise of the powers conferred by Sub-Section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right Of User therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, objection to the laying of the pipe line under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura, Road, Baroda-390009.

Any every person making such an objection shall also state specifically whether he wished to be here in person or by legal practitioner.

## SCHEDULE

## PIPELINE FROM JNDH TO JOTANA GGS.

State : Gujarat District & Taluka : Mehsana

Village	Survey No	Hectare	Are	Centiare
Jotana	1517 4	0	01	32
	1511	0	09	24
	1512	0	05	40
	1508	0	06	22
	1504	0	09	96
	1503	0	09	48
	1502	0	10	56
	1495	0	03	96

[No. O-12016/50/87- ONG-D-1]

का. मा. 2130—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एन. एन. डी. जी. (105) से एन. एन. सी. टी. एफ. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस का उपयोग द्वारा बिछाई जानी चाहिए।

गीर यह यह प्रतीत होता है कि एसी लाइन को बिछाने के प्रयोजन के लिये एन.एन.डी. अनुसूची में वर्णित भूमि में उपयोग का अधिकार स्थापित करना आवश्यक है।

अतः अज पेट्रोलियम और खाज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए कन्द्रीय सरकार ने उसमें उपयोग का अधिकार अधिनियम करने का अपना आशय एतद्वारा घोषित किया है।

बनने कि उक्त भूमि में हितवादी कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस का उपयोग, निर्माण और रखरखाव पभाग, मकरपुरा रोड, बरौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या यह बहूत चाहता है कि उसकी मृतवादी व्यक्तिगत रूप से हो या किसी बिधि व्यवसायी की मार्फत।

## अनुसूची

एन. एन. डी. जी. (105) से एन. एन. सी. टी. एफ. तक पाइप लाइन बिछाने के लिए।

राज्य: गुजरात जिला व तालुका मेहसाणा

गांव	सर्वे नं.	हेक्टेयर	आर.	सेन्टीयर
कमलपुरा	889	0	04	80
	897	0	08	00
	890	0	02	04
	891	0	02	04
	892	0	10	44
	860	0	02	40
	859	0	07	80
	893	0	00	84

[नं. O-12016/51/87-आ. एन. जी. डी. -4]

पो. के. राजगोपालन, ईस्क. अधिकारी

S.O. 2130.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from S.N.D.G.(105) to SS. C.T.F. in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission

And whereas, it appears that for the purpose of laying such pipe line, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by Sub-Section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right Of User therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, objection to the laying of the pipe line under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

Any every person making such an objection shall also state specifically whether he wished to be here in person or by legal practitioner.

## SCHEDULE

PIPLINE FROM SINDG (105) TO S.S. CTF.

State : Gujarat District &amp; Taluka : Mehsana

Village	Block No.	Hec-tare	Are Centiare
Kasalpara	889	0	04 80
	897	0	06 00
	890	0	02 04
	891	0	02 04
	892	0	10 44
	860	0	02 40
	859	0	07 80
	893	0	00 84

[No. O-12016 51/87-ONG-D4]

P K RAJAGOPALAN, Desk Officer

## ऊर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 31 जुलाई, 1987

का. प्रो. 2131- केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपायद्ध धनुषी में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है।

अतः, केन्द्रीय सरकार कोयला श्रावक क्षेत्र (धर्जन और बिम) का अधिनियम 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पुरवक्षण करने के अपने आशय की सूचना देती है,

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक न सी-1(ई) III/जे आर/ 377-1268 का निरीक्षण बेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग), कोयला एस्टेट, मिजिल लाहल्य नागपुर-440001 के कार्यालय में अधिमा कोयला निर्यवक 1-काउमिन टाऊन स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अधीन आने वाली भूमि में हिस्सबद्ध सभी व्यक्ति सकल अधिनियम की धारा 14 की उपधारा (7) में निर्दिष्ट सभी तबकों, चाटों और अन्य दस्तावेजों की, इस अधिसूचना के प्रकाशन की तारीख से नब्बे दिन के भीतर राजस्व अधिकारी, बेस्टर्न कोलफील्ड्स लि. कोयला एस्टेट, मिजिल लाहल्य, नागपुर-440001 को भेजेंगे।

अनुसूची

आनन्दवन ब्लॉक

वणी क्षेत्र

जिला चन्द्रपुर (महाराष्ट्र)

क्रम.	ग्राम का नाम	धाना पटवारी अधिकारी	तहसील	जिला	क्षेत्र हेक्टेयर में	टिप्पणियाँ
1	2	3	4	5	6	7
1.	भटाला	26	बरोरा	चन्द्रपुर	789.10	पूर्ण
2.	असाणा	24	बरोरा	चन्द्रपुर	516.63	पूर्ण
3.	मोवडा	24	बरोरा	चन्द्रपुर	248.19	पूर्ण
4.	पिपलगांव	24	बरोरा	चन्द्रपुर	536.76	पूर्ण
5.	तेम्पुर्दा	24	बरोरा	चन्द्रपुर	617.17	पूर्ण

1	2	3	4	5	6	7
6	असुर्दी	24	बरोरा	चन्द्रपुर	514.48	पूर्ण
7	तकली	24	बरोरा	चन्द्रपुर	418.01	पूर्ण
8	जोगगांव	19	बरोरा	चन्द्रपुर	206.80	भाग
9	दहेगाव	10	बरोरा	चन्द्रपुर	54.77	भाग
10	निममवा	10	बरोरा	चन्द्रपुर	441.68	भाग
11	कोधना	18	बरोरा	चन्द्रपुर	540.44	पूर्ण
12	बेलगाव देशपांडे	18	बरोरा	चन्द्रपुर	480.11	पूर्ण
13	भेंसा	18	बरोरा	चन्द्रपुर	809.38	पूर्ण
14	मनोरी येमा नाक	18	बरोरा	चन्द्रपुर	582.95	पूर्ण
15	मजेदा रिश	18	बरोरा	चन्द्रपुर	629.98	पूर्ण
16	बन्दा	25	बरोरा	चन्द्रपुर	279.68	पूर्ण
17	बोरगाव देशपांडे	25	बरोरा	चन्द्रपुर	485.13	पूर्ण
18	नागपुर मुकुम	25	बरोरा	चन्द्रपुर	179.34	पूर्ण
19	मनोरी	25	बरोरा	चन्द्रपुर	1140.61	पूर्ण
20	बानांदा	25	बरोरा	चन्द्रपुर	58.32	पूर्ण
21	बनोरी (बनग्राम)	25	बरोरा	चन्द्रपुर	126.30	पूर्ण
22	दिनदोदा खुर्द	25	बरोरा	चन्द्रपुर	382.55	पूर्ण
23	जमगाव मुकुम	17	बरोरा	चन्द्रपुर	579.64	पूर्ण
24	परमोदा	17	बरोरा	चन्द्रपुर	528.74	पूर्ण
25	खैरावां मुकुम	17	बरोरा	चन्द्रपुर	186.58	पूर्ण
26	आनन्दवन	17	बरोरा	चन्द्रपुर	372.68	पूर्ण
27	बिनोरी	17	बरोरा	चन्द्रपुर	665.93	भाग
28	माहुवाला	17	बरोरा	चन्द्रपुर	30.77	भाग
29	बनोरी	16	बरोरा	चन्द्रपुर	220.86	भाग
30	बरोरा	15	बरोरा	चन्द्रपुर	15.00	भाग
31	बरोरा कोयला खान	15	बरोरा	चन्द्रपुर	34.82	भाग
32	बोर्वा	14	बरोरा	चन्द्रपुर	542.81	पूर्ण
33	मुर्गा	14	बरोरा	चन्द्रपुर	243.58	पूर्ण
34	कुम्भारी रिश	14	बरोरा	चन्द्रपुर	110.54	पूर्ण
35	जमगाव खुर्द	14	बरोरा	चन्द्रपुर	602.67	पूर्ण
36	चन्द्रपुर नाग	बरोरा	बरोरा	चन्द्रपुर	1030.75	भाग

कुल क्षेत्र 15203.25 हेक्टेयर (लगभग)

या 37568.75 एकड़ (लगभग)

सीमा वर्णन

क-ख-ग	रेखा, बिन्दु "क" से आरम्भ होती है और तकली अतसुर्दी तेगावर्दी मोवडा प्रभाला भटाला, ग्रामों की बाहरी सीमा के साथ-साथ जाती है और बिन्दु "ग" पर मिलती है।
ग-घ-ङ	रेखा, भटाला, नागपुर मुकुम, मनोरी ग्रामों की बाहरी सीमा के साथ-साथ जाती है वन से होकर और नन्पम्बान् बनोरी बनग्राम, बिनदोदा खुर्द ग्रामों की बाहरी सीमा के साथ-साथ जाती है और बिन्दु "ङ" पर मिलती है।
ङ-च-छ	रेखा, दिनदोदा, खुर्द, जमगाव मुकुम, जमगाव खुर्द, बोर्वा बरोरा कोयला खान ग्राम की बाहरी सीमा के साथ-साथ जाती है और बिन्दु "छ" पर मिलती है।



उ-ज-क रेखा, बरोरा, कोयला खान, बरोरा खंजी, चिनोरा, मोहवाला, मिसबा, वहेगांव, जोंगरगांव ग्रामों से होती हुई तकली ग्राम की बाहरी सीमा के साथ-साथ जाती है और प्रारंभिक बिन्दु "क" पर मिलती है ।

[फा. सं. 43015/11/87-सो. ए.]

समय सिंह, अवर सचिव

## MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 31st July, 1987

S.O. 2131.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for Coal therein.

The plan bearing No. C-1(E) III/JR/377-1286 of the area covered by this notification can be inspected at the office of the Western Coalfields Limited (Revenue Department), Coal Estate Civil Lines, Nagpur 440 001 or at the office of the Collector, Chandrapur (Maharashtra) or at the office of the Coal controller, 1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer, Western Coalfields Limited, Coal Estate, Civil Lines, Nagpur-440 001, within ninety days from the date of publication of this notification.

### SCHEDULE

#### ANANDWAN BLOCK

#### WANI AREA

#### DISTRICT CHANDRAPUR (MAHARASHTRA)

Sl. No.	Name of the village.	Pat-wari circle number.	Tahsil	District	Area in hectares.	Remarks.
1	2	3	4	5	6	7
1.	Bhatala	26	Warora	Chandrapur	789.10	Full.
2.	Asala	24	Warora	Chandrapur	516.63	Full.
3.	Mowada	24	Warora	Chandrapur	248.19	Full.
4.	Pimpalgaon	24	Warora	Chandrapur	536.76	Full.
5.	Tembh-urda	24	Warora	Chandrapur	617.17	Full.
6.	Atmurdi	24	Warora	Chandrapur	514.48	Full.
7.	Takali	23	Warora	Chandrapur	418.01	Full.
8.	Dongar-gaon	19	Warora	Chandrapur	206.80	Part.
9.	Dahegaon	10	Warora	Chandrapur	54.77	Part.
10.	Nimsada	10	Warora	Chandrapur	441.68	Part.
11.	Kondhala	18	Warora	Chandrapur	540.44	Full.
12.	Belgaon					
	Desh-pande	18	Warora	Chandrapur	480.11	Full.

1	2	3	4	5	6	7
13.	Yensa	18	Warora	Chandrapur	809.38	Full.
14.	Salori					
	Yensa Block	18	Waora	Chandrapur	582.95	Full.
15.	Majara					
	Rith	18	Waorra	Chandrapur	629.98	Full.
16.	Bandra	25	Warora	Chandrapur	279.68	Full.
17.	Borgaon					
	Desh-pande	25	Warora	Chandrapur	485.13	Full.
18.	Nagpur					
	Tukum	25	Warora	Chandrapur	179.34	Full.
19.	Salori	25	Warora	Chandrapur	1140.61	Full.
20.	Khatoda	25	Warora	Chandrapur	58.32	Full.
21.	Walni					
	(Wan-gram)	25	Warora	Chandrapur	126.30	Full.
22.	Dindoda					
	Khurd	25	Warora	Chandrapur	382.55	Full.
23.	Jamgaon					
	Buzruk	17	Warora	Chandrapur	579.64	Full.
24.	Parsoda	17	Warora	Chandrapur	528.74	Full.
25.	Khair-goan					
	Tukum	17	Warora	Chandrapur	186.58	Full.
26.	Anandwan	17	Warora	Chandrapur	372.68	Full.
27.	Chinora	17	Warora	Chandrapur	665.93	Part.
28.	Mohbala	17	Warora	Chandrapur	30.77	Part.
29.	Khanji	16	Warora	Chandrapur	220.86	Part.
30.	Warora	15	Warora	Chandrapur	15.00	Part.
31.	Warora					
	Colliery	15	Warora	Chandrapur	34.82	Part.
32.	Borda	14	Warora	Chandrapur	542.31	Full.
33.	Surla	14	Warora	Chandrapur	243.58	Full.
34.	Kumbhari					
	Rith	14	Warora	Chandrapur	110.54	Full.
35.	Jamgaon					
	Khurd	14	Warora	Chandrapur	602.67	Full.
36.	Chandra-pur					
	Division	Warora	Warora	Chandrapur	1030.75	Part.
	Range					

Total area —15203.25 hectares

(approximately), or

37568.75 acres

(approximately)

#### Boundary description

A—B—C : Line starts from point 'A' and passes along the outer boundary of villages Takali, Atmurdi, Temhburda, Mowada, Asala, Bhatala and meets at point 'C'.

C—D—E : Line passes along the outer boundary of villages Bhatala, Nagpur Tukum, Salori, proceeds through forest, then along the outer boundary of villages Walni (Wan-gram), Dindoda Khurd, and meets at point 'E'.

E—F—G : Line passes along the outer boundary of villages Dindoda Khurd, Jamgaon Buzruk, Jamgaon Khurd, Borda, Warora Colliery and meets at point 'G'.

B—H—A : Line passes through villages Warora Colliery, Warora, Khanji, Chinora, Mohbala, Nimsada, Dabegaon, Dongar-gaon, proceeds along the outer boundary of village Takali and meets at starting point 'A'.

[No. 43015/11/87—CA]  
SAMAY SINGH, Under Secy.

### स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 6 फरवरी, 1987

का.भा. 2132.—केन्द्रीय सरकार, वायुयान अधिनियम 1934 (1934 का 22) की धारा 8क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए वायुयान (लोक-स्वास्थ्य) नियम, 1954 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् —

1. (1) इन नियमों का संक्षिप्त नाम वायुयान (लोक स्वास्थ्य) संशोधन नियम, 1986 है।

(2) ये राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से तीन मास की समाप्ति पर प्रवृत्त होंगे।

2. वायुयान (लोक स्वास्थ्य) नियम, 1954 के नियम 14 के उपनियम (1) में विद्यमान परन्तुक के स्थान पर निम्नलिखित परन्तुक रखे जायेंगे। अर्थात् :—

“परन्तु यह कि छह मास से छोटी आयु के शिशुओं को इस खण्ड के कार्यक्षेत्र से छूट दी जायेगी —

परन्तु यह और कि पीत ज्वर संक्रमित क्षेत्र में स्थित किसी विमान पतन से अतिवहन के दौरान किसी यात्री अथवा कर्मिंदल के सदस्य को पीत ज्वर प्रमाण पत्र प्रस्तुत करने से छूट दी जा सकेगी यदि स्वास्थ्य अधिकारी का यह समाधान हो जाता है कि वह यात्री या कर्मिंदल का सदस्य अपने ठहरने की सम्पूर्ण अवधि के दौरान उस विमान पतन के परिसरों के भीतर ही रहा।”

[संख्या 12013/1/86-पी.एच. (आई.एच.)]

आर.के. जिन्दल, उप सचिव

### MINISTRY OF HEALTH & FAMILY WELFARE

(Department of Health)

New Delhi, the 6th February, 1987

S.O. 2132.—In exercise of the powers conferred by section 8A of the Aircraft Act, 1934 (22 of 1934), the Central Government hereby makes the following rules further to amend the Aircraft (Public Health) Rules, 1954, namely :—

1 (1) These rules may be called the Aircraft (Public Health) (Amendment) Rules, 1986.

(2) They shall come into force on the expiry of three months from the date of publication of this notification in the Official Gazette.

2. In sub-rule (1) of rule 14 of the Aircraft (Public Health) Rules, 1954 after clause (iii) the following provisions shall be substituted namely :—

Provided that infants below the age of six months shall be exempted from the purview of this clause; Provided further that a passenger or a member of the crew while transiting through an airport situated in the yellow fever infected area may be exempted from producing yellow fever certificate if the Health Officer is satisfied that the passenger or member of crew remained within the airport premises during the period of his entire stay.”

[No. O-12013/1/86-PH(IH)]

R. K. JINDAL, Dy. Secy.

नई दिल्ली, 29 जुलाई, 1987

का.भा. 2133.—केन्द्रीय सरकार ने भारतीय आयुर्विज्ञान परिषद्, अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खण्ड (क) के अनुसरण में और नागालैण्ड सरकार के परामर्श से डा. एल.एम. मुरी, निदेशक, स्वास्थ्य सेवा को भारतीय आयुर्विज्ञान परिषद् के सदस्य के रूप में पुनः नामनिर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 7 की उपधारा (5) के साथ पठित धारा 3 की उपधारा (1) के खण्ड (क) के अनुसरण में डा. एल.एम. मुरी, निदेशक, स्वास्थ्य सेवा, नागालैण्ड को पूर्व स्वास्थ्य मंत्रालय की अधिसूचना संख्या का.भा. 138, तारीख 9 जनवरी, 1960 के अधीन गठित भारतीय आयुर्विज्ञान परिषद् का सदस्य पुनः नामनिर्दिष्ट करती है।

[संख्या की.-11013/4/87-एन.ई.(पी)]

आर. श्रीनिवासन, अवर सचिव

New Delhi, the 29th July, 1987

S.O. 2133.—Whereas the Central Government in pursuance of clause (a) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) and in consultation with the Government of Nagaland have re-nominated Dr. L. M. Murry, Director of Health Services to be a member of the Medical Council of India.

Now, therefore, in pursuance of clause (a) of sub-section (1) of section 3 read with sub-section (5) of section 7 of the said Act, the Central Government hereby renominates Dr. L. M. Murry, Director of Health Services, Nagaland to be a member of the Medical Council of India constituted under notification of the erstwhile Ministry of Health No. S.O. 138, dated the 9th January, 1960.

[No. V-11013/4/87-ME(P)]

R. SRINIVASAN, Under Secy.

नई दिल्ली, 29 जुलाई, 1987

का.भा. 2134.—वन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 3 के खण्ड (घ) के अनुसरण में डा. के.एस. गिल, एम. डी. एम. प्रिंसिपल, पंजाब सरकार वन्त चिकित्सा कॉलेज और अस्पताल, अमृतसर को 23 जनवरी, 1987 से 25 मार्च, 1988 तक गुरु नानक देव विश्वविद्यालय, अमृतसर की सिनेट के सदस्यों द्वारा भारतीय वन्त चिकित्सा परिषद् का सदस्य पुनर्निर्वाचित किया गया है।

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (3) के साथ पठित धारा 3 के खण्ड (घ) के अनुसरण में भारत सरकार के स्वास्थ्य और परिवार कल्याण मंत्रालय की अधिसूचना संख्या का. भा. 430, तारीख 24 जनवरी, 1984 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में “धारा 3 के खण्ड (घ) के अधीन निर्वाचित” शीर्षक के अधीन क्रम संख्या 11 के सामने स्तम्भ संख्या 5 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“23 जनवरी, 1987 से 25 मार्च, 1988”

[संख्या की. 12013/2/87-पी. एम. एस.]

जी. जी. के. नायर, अवर सचिव

New Delhi, the 29th June, 1987

S.O. 2134.—Whereas in pursuance of clause (d) of section of the Dentists Act, 1948 (16 of 1948), Dr. K. S. Gill, MDS, Principal Punjab Government Dental College & Hospital, Amritsar has been re-elected to be a member of the Dental

Council of India by the members of the Senate of the Guru Nanak Dev University, Amritsar with effect from the 23rd January, 1987 to 25th March, 1988.

Now, therefore, in pursuance of clause (d) of section 3 read with sub-section (3) of section 6 of the said Act, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Health and Family Welfare, No. S.O. 430 dated the 24th January, 1984 namely :—

In the said notification, under the heading "Elected under clause (d) of section 3", for Column No. 5 against serial No. 11 and the entries relating thereto, the following shall be substituted namely :—

"23rd January, 1987 to 25th March, 1988".

[No. V-12013/2/87-PMS]

G. G. K. NAIR, Under Secy.

### संस्कृति विभाग

(भारतीय पुरातत्व सर्वेक्षण)

नई दिल्ली, 30 जुलाई, 1987

### पुरातत्व

का.प्र. 2135—केन्द्रीय सरकार ने प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की उपधारा (1) की अपेक्षानुसार भारत सरकार के संस्कृति विभाग (भारतीय पुरातत्व सर्वेक्षण) की अधिसूचना सं. का.प्र. 3936, तारीख 13 नवम्बर, 1986 द्वारा जो भारत के राजपत्र, भाग 2, खण्ड 3, उपखंड (ii), तारीख 22 नवम्बर, 1986 के पृष्ठ पर प्रकाशित की गई थी, उक्त अधिसूचना से उपाखण्ड अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आशय की दो मास की सूचना दी थी और उक्त अधिसूचना उक्त प्राचीन संस्मारक के समीप एक सहजवृक्ष स्थान पर लगा दी गई थी ;

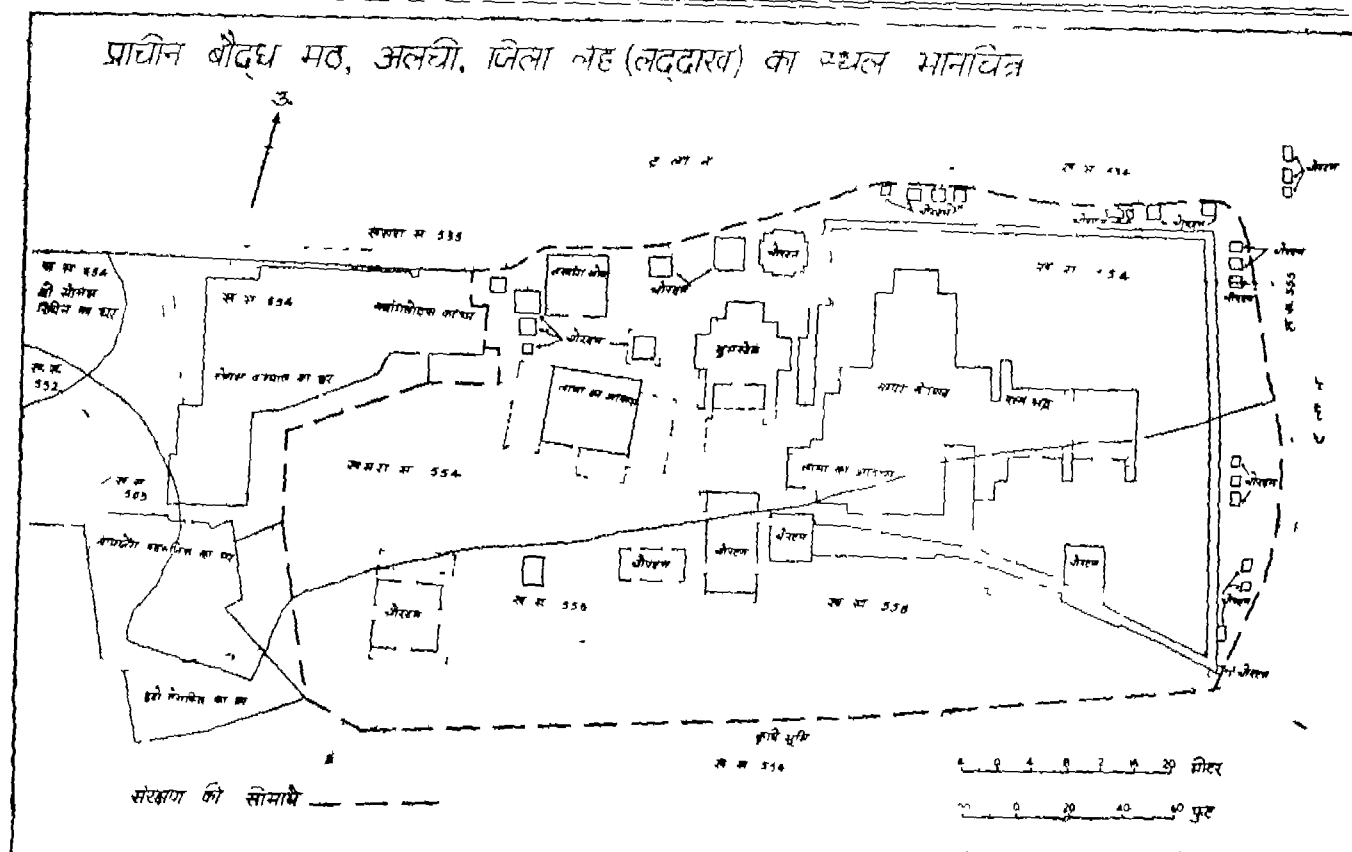
और उक्त अधिसूचना की प्रतियां जनता को 24 नवम्बर, 1986 को उपलब्ध करा दी गई थी ;

और केन्द्रीय सरकार ने जनता से प्राप्त प्रारोपों पर सम्यक् रूप से विचार कर लिया है ,

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, इससे उपाखण्ड अनुसूची में विनिर्दिष्ट उक्त प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करती है ।

### अनुसूची

राज्य	जिला	तहसील	परिक्षेत्र	संस्मारक का नाम	संरक्षण के अधीन सम्मिलित किया जाने वाला राजस्व प्लॉट संख्या
1	2	3	4	5	6
जम्मू कश्मीर	सहाब	सेह	प्राच्य	नीचे दिये गये रेखांक में वर्णित सर्वेक्षण प्लॉट सं. 554 और 556 के भागों में समाविष्ट बौद्ध विहार	नीचे दिये गये रेखांक में वर्णित सर्वेक्षण प्लॉट सं. 554 और 556 के भाग
क्षेत्र	सीमाएं	स्वामित्व	टिप्पणियां		
7	8	9	10		
0.4095 हेक्टर	पूर्व—सर्वेक्षण प्लॉट संख्या 555 दक्षिण—सर्वेक्षण प्लॉट सं. 556 का शेष भाग उत्तर—सर्वेक्षण प्लॉट संख्या 534 और 535 पश्चिम—सर्वेक्षण प्लॉट संख्या 554 और 556 के शेष भाग	प्राच्य	धार्मिक उपयोग में है।		



## DEPARTMENT OF CULTURE

(Archaeological Survey of India)

New Delhi, the 30th July, 1987

## (ARCHAEOLOGY)

SO 2135—Whereas by the notification of the Government of India in the Department of Culture (Archaeological Survey of India), No SO 3936, dated the 13th November, 1986, published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 22nd, November 1986, at pages 4613-15, the Central Government gave two months notice of its intention to declare the ancient monument specified in the Schedule annexed to this said notification and the

## SCHEDULE

State	District	Tehsil	Locality	Name of monument	Revenue plot numbers included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10
Jammu and Kashmir	Ladakh	Leh	Alchi	Buddhist Monasteries comprised in parts of survey plot numbers 554 and 556.	Parts of survey plot numbers 554 and 556 as shown in the site plan reproduced below.	0.4095 hectares	East — Survey plot number 555. South:— Remaining portion of survey plot number 556. North:— Survey plot numbers 534 and 535. West.— Remaining portions of survey plot numbers 554 and 556.	Private	In religious use

[सं. 2/38/78-एस.]

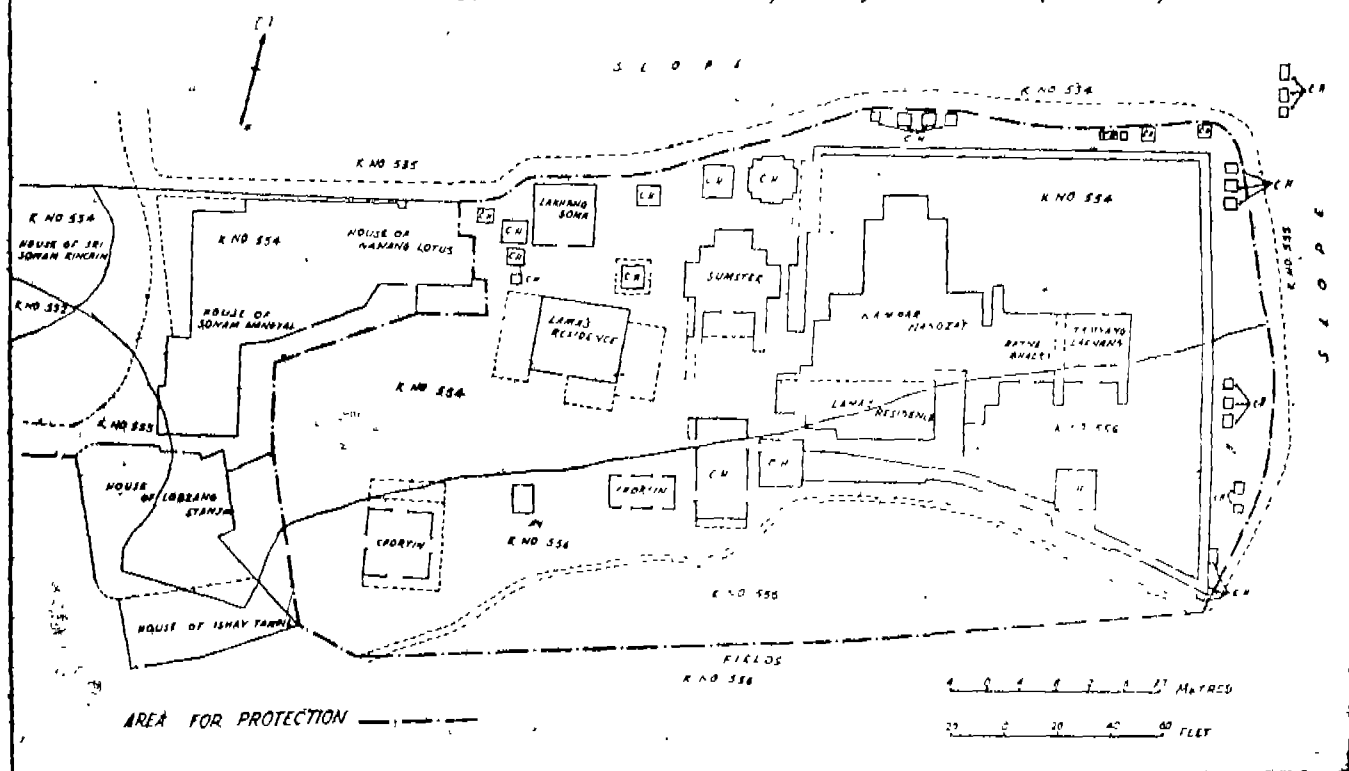
said notification was affixed in a conspicuous place near the said ancient monument, as required by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);

And whereas the copies of the said notification were made available to the public on the 24th November, 1986;

And whereas objections received from the public have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Central Government hereby declares the said ancient monument specified in the Schedule hereto annexed to be of national importance

## SITE PLAN OF ANCIENT BUDDHIST MONASTERIES, ALCHI, DISTT. LEH (LADAKH)



[No. 2/38/78-M]

का.भा. 2136—केंद्रीय सरकार की यह राय है कि इससे उपायय्य अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक राष्ट्रीय महत्व के हैं ;

अतः अब, केंद्रीय सरकार प्राचीन संस्मारक तथा पुरातत्वीय स्मल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त प्राचीन संस्मारक को उक्त अधिनियम के प्रयोजनार्थ राष्ट्रीय महत्व का घोषित करने के अपने आदेश की सूचना देती है ;

ऐसे आदेश पर, जो इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से दो मास की अवधि के भीतर उक्त प्राचीन संस्मारक में हितवद् किसी व्यक्ति से प्राप्त होगा केंद्रीय सरकार विचार करेगी।

## अनुसूची

राज्य	जिला	परिक्षेत्र	संस्मारक का नाम	संरक्षण के अधीन सम्मिलित किया जाने वाला राजस्व प्लाट संख्यांक
1	2	3	4	5
उत्तर प्रदेश	भांसी	भांसी	भांसी किला	नीचे दिये गये स्मल रेखांक में यथा- दक्षित अक्षरा संख्यांक 3045 और 3048 तथा अक्षरा संख्यांक 3042 और 3952 का भाग ।
क्षेत्र	सीमा	स्वामित्व	टिप्पणियाँ	
6	7	8	9	
19.838 हेक्टर	उत्तर—सड़क कोतवाली पुस्तकालय और क्वार्टर पूर्व—अक्षरा संख्यांक 3952 का शेष भाग, दुकानें, भवन और सड़क । दक्षिण—अक्षरा संख्यांक 3043, 3044, 3046, 3047, 4058 और अक्षरा संख्यांक 3042 का शेष भाग और लाजमी राय पार्क पश्चिम—सड़क	सरकारी		



S.O. 2136.—Whereas the Central Government is of the opinion that the ancient monument specified in the Schedule annexed hereto is of national importance;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention

to declare the said ancient monument to be of national importance for the purposes of the said Act.

Any objection which may be received, within a period of two months from the date of issue of this notification in the official Gazette, from any person interested in the said ancient monument will be taken into consideration by the Central Government.

### SCHEDULE

State	District	Locality	Name of ancient monument	Revenue plot numbers to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9
Uttar Pradesh	Jhansi	Jhansi	Jhansi Fort	Khasara numbers 3045 and 3048 and part of Khasara numbers 3042 and 3952 as shown in the site plan reproduced below	19.838 hectares	North—Road Kotwall library and quarters East—Remaining portion of Khasara numbers 3952 shops buildings and road. South—Khasara numbers 3043, 3044, 3046, 3047, 4058 and remaining portion of Khasara number 3042 and Laxmi Bai Park. West—Road.	Government	





का.अ. 2137—केन्द्रीय सरकार का राय है कि इससे उभावद्ध अनुसूच. में विनिर्दिष्ट प्राचीन संस्मारक राष्ट्रीय महत्व का है;

अतः अब केन्द्रीय सरकार, प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम 1958 (1958 का 24) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आशय की दो मास की सूचना देती है;

ऐसे आक्षेप पर, जो इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से दो मास की अवधि के भीतर उक्त प्राचीन स्थल में हितबद्ध किसी व्यक्ति से प्राप्त होगा, केन्द्रीय सरकार विचार करेगी।

## अनुसूची

राज्य	जिला	परिक्षेत्र	संस्मारक का नाम	संरक्षण के अधीन सम्मिलित किया जाने वाला राजस्व प्लॉट संख्याक
६	१	२	३	४
उत्तर प्रदेश	मथुरा	केशोनुर मनोहरपुर मथुरा	किशोरी रमणा महाविद्यालय के निकट प्राचीन टीला	सर्वेक्षण प्लॉट सं. 626, 627, 628, 629, 630, 631, 632, 633, 634 635, और 636
क्षेत्र	सीमा	स्वामित्व	टिप्पणियां	
६	७	८	९	
5.58 एकड़	उत्तर—सर्वेक्षण प्लॉट सं. 654 और 656 (सड़क) पूर्व—सर्वेक्षण प्लॉट सं. 625, 637 और मस्जिद दक्षिण—सर्वेक्षण प्लॉट सं. 625 और किशोरी रमण महाविद्यालय पश्चिम—सर्वेक्षण प्लॉट सं. 587 और 589, 590	सर्वेक्षण प्लॉट सं. 628 निजी 626, 627, 629, 630, 631, 632, 633, 634, 635 और 636 लोक निर्माण विभाग		

[सं. 2/20/74-एम.]

आर.सी. त्रिपाठी, महानिदेशक/संयुक्त सचिव

S.O. 2137.—Whereas the Central Government is of the opinion that the ancient site specified in the Schedule annexed hereto is of national importance;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives two months notice of

its intention to declare the said ancient monument to be of national importance.

Any objection which may be received within a period of two months from the date of issue of this notification in the official Gazette from any person interested in the said ancient site will be taken into consideration by the Central Government.

## SCHEDULE

State	District	Locality	Name of site	Revenue plot numbers to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9
Uttar Pradesh	Mathura	Keshopur Menoharpur Mathura	Acient mound near Kishori Raman College	Survey plot numbers 626, 627, 628, 629, 630, 631, 632, 633, 634, 635 and 636	5 58 acrea	North—Survey plot numbers 654 and 656 (Road) East—Survey plot numbers 625, 637 and mosque South—Survey plot number 625 and Kishori Raman College West—Survey plot numbers 587, 589 and 590.	Survey plot number 628 private 626, 627, 629, 630, 631, 632, 633, 634, 635, & 636 Public Works Department, Uttar Pradesh	

[No. 2/20/70-M]

R.C. TRIPATHI, Director General/Jt. Secy.

## मानव संसाधन विकास मंत्रालय

(संस्कृति विभाग)

नई दिल्ली, 31 जुलाई, 1987

का. प्रा. 2138.—सिनेमेटोग्राफ अधिनियम, 1952 (1952 का 37) की धारा 5 की उपधारा (1) तथा सिनेमेटोग्राफ प्रमाणन नियमावली, 1983 के नियम 8 के अधिनियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार यह निर्देश देती है कि निम्नलिखित व्यक्ति, उनमें से प्रत्येक के सामने उल्लिखित तारीख से केन्द्रीय फिल्म प्रमाणन बोर्ड के मंत्रास सलाहकार पैनल के सदस्य नहीं रहेंगे।

क्र. सं.	नाम	तारीख
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| 1. | डा. के. सी. पद्मावती      | 31-12-1986 |
| 2. | श्रीमती अनिता प्रताप      | 31-12-1986 |
| 3. | श्री श्री. आर. के. राव    | 30-6-1987  |
| 4. | श्रीमती जयन्ती प्रेमा राव | 30-6-1987  |
| 5. | श्रीमती रेखा प्रभाकर      | 30-6-1987  |

[का. सं. 811/2/85-एफ. नो.]

भाम्कर चटर्जी, उपसचिव

## MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Culture)

New Delhi, the 31st July, 1987

S.O. 2138.—In exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952, (37 of 1952) and sub-rule (1) of Rule 8 of the Cinematograph Certification Rules, 1983, the Central Government hereby direct that the following persons ceased to be the members of the Madras Advisory Panel of the Central Board of Film Certification with effect from the date mentioned against each.

Sl. No.	Name	Date
1.	Dr. K.C. Padmavathy	31-12-1986.
2.	Mrs. Anita Pratap	31-12-1986.
3.	Shri O.R.K. Rao	30-06-1987.
4.	Smt. Jayanthi Prema Rao	30-06-1987.
5.	Smt. Rekha Prabhakar	30-06-1987.

[File No. 811/2/85-FC]

BHASKAR CHATTERJEE, Dy. Secy.

## जल मूल परियोजना मंत्रालय

(मोबिलिटी पक्ष)

नई दिल्ली, 31 जुलाई, 1987

का. प्रा. 2140.—केन्द्रीय सरकार, वाणिज्य पोत परियोजना अधिनियम 1958 (1958 का 44) की धारा 150 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह तर्ज रखते हुए कि ईस्ट कोस्ट फिशरिज एम्प्लाइज यूनियन, विशाखापत्तनम नाम से अभिहित नाविक लव श्री यूनियन कार्पाइज (भारत), विशाखापत्तनम नाम से अभिहित जहाज मालिकों, जिनके जहाजों पर ऐसे नाविक कार्यरत हैं, के बीच एक विवाद बना हुआ है, और यह विवाद नौ नाविकों के रोजगार की शाश्वतता से जुड़े मामलों से संबंधित

है, उक्त विवाद के निपटारे के लिए एक ट्रिब्यूनल का गठन करती है, जिसका मुख्यालय बंबई में होगा और कैप्टन आर एल रिखे भगवत नाटिकल परामर्शदाता को इस अधिपक्षना के जारी होने का तारीख से एक वर्ष के लिए उक्त ट्रिब्यूनल हेतु नियुक्त करती है।

[सं. सी 18018/1/86-एम वी.]

जे. सी. पंत, प्रवर सचिव

## MINISTRY OF SURFACE TRANSPORT

(Shipping Wing)

New Delhi, the 31st July, 1987

S.O. 2139.—In exercise of the powers conferred by sub-section (1) of section 150 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government, being of opinion that a duplicate between the union of seamen known as the East Coast Fisheries Employees Union, Visakhapatnam and the owners of ships known as Union Carbide (India) Visakhapatnam in which such seamen are employed exists and such dispute relates to a matter connected with and incidental to the employment of those seamen, hereby constitutes a tribunal, with headquarters at Bombay, for the adjudication of the said dispute and appoints Capt. R. L. Rikhye, ex-Nautical Adviser to that Tribunal for one year with effect from the date of issue of this notification.

[No. C-18018/1/86-MT]

J. C. PANT, Under Secy.

## नागर विमान मंत्रालय

नई दिल्ली, 24 जुलाई, 1987

का. प्रा. 2140 राष्ट्रीय विमानवहन प्राधिकरण अधिनियम, 1985 (1985 का 64) के खंड 3 के उप-खंड-3 द्वारा प्रदत्त शक्तियों का उपयोग करते हुए, केन्द्रीय सरकार, एयर वाइस मार्शल एम. डब्ल्यू. तिलक, पी. एन्. एम. (सेवा-नियुक्त) को राष्ट्रीय विमानवहन प्राधिकरण में 4000-125-4500 रुपये के अनुसूची "ख" वेतनमान में, उनके द्वारा पद का कार्यभार संभालने की तारीख से तीन वर्ष की अवधि के लिये पूर्ण-कालिक सदस्य (परिचालन) के रूप में नियुक्त करती है।

[संख्या ए-11013/4/87-एन ए. ए.]

जे. आर. नागपाल, प्रवर सचिव

## MINISTRY OF CIVIL AVIATION

New Delhi, the 24th July, 1987

S.O. 2140.—In exercise of power conferred by sub-section 3 of Section 3 of the National Airports Authority Act, 1985 (64 of 1985), the Central Government hereby appoints AVM N. W. Tilak, VSM (Ret'd.), as a whole-time Member (Operations) in the National Airports Authority in Schedule 'B' scale of pay of Rs. 4000-125-4500 for a period of three years from the date he assumes charge of the post.

[No. A-11013/4/87-NAA]

J. R. NAGPAL, Under Secy.

## रेल मंत्रालय

(रेलवे बोर्ड)

नयी दिल्ली, 23 जुलाई, 1987

का. प्रा. 2140-भारतीय रेल अधिनियम, 1890 (1890 का अधिनियम 9) की धारा 82-बी द्वारा प्रदत्त शक्तियों का उपयोग करते हुए, केन्द्र सरकार 9-7-1987 को अधिनियम मध्य रेलवे के कार्पोरेट-असहायता खंड के मंचरियाल और मद्रास स्टेशनों के बीच 21 हैदराबाद हज़रत

निजामाबाद दक्षिण एक्स प्रेस के पट्टी से उतर जाने से उत्पन्न सभी दावों पर कार्रवाई करने के लिये श्री पी. वी. विद्यासागर, जिला एवं सेशन जज, निजामाबाद को सदस्य दायित्वपूर्ण के रूप में नियुक्त करती है। उनका मुख्यालय सिकंदराबाद में होगा।

[स. 87-ई(फो) 11/1/5]

सतीश मोहन वैश, सचिव, रेलवे बोर्ड

## MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 23rd July, 1987

S.O. 2141.—In exercise of the powers conferred by section 82B of the Indian Railways Act, 1890 (Act IX of 1890) the Central Government hereby appoints Shri P. V. Vidya-sagar, District & Sessions Judge, Nizamabad as Ad-hoc Claims Commissioner to deal with all the claims arising out of derailment of No. 21 Hyderabad Hazarat Nizamuddin Dakshin Express between Manchiryal and Mandamara Stations or Kazipet-Balharsha section of South Central Railway on 9th July, 1987. His Headquarters will be at Secunderabad.

[No. 87/E(O) II/1/5]

S. M. VAISH, Secy., Railway Board

संचार मंत्रालय

(दूरसंचार विभाग)

नई दिल्ली, 28 जुलाई, 1987

का.भा. 2142.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम 1951 के नियम 431 के खंड III के पैरा (क) के अनुसार महानिदेशक दूरसंचार विभाग ने डारका टेलीफोन केन्द्र, गुजरात सर्किल, में दिनांक 16-8-1987 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-10/87-पी एच बी]

## MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

New Delhi, the 28th July, 1987

S.O. 2142.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 16th August, 1987 as the date on which the Measured Rate System will be introduced in Dwarka Telephone Exchange, Gujarat Telecom. Circle.

[No. 5-10/87-PHB]

का.भा. 2143.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक दूरसंचार विभाग ने थाना छयर, राणेवाली मुस्सफाबाद तथा मुरखपुर टेलीफोन केन्द्रों, हरियाणा सर्किल, में दिनांक 15-8-1987 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-13/87-पी एच बी]

S.O. 2143.—In pursuance of para (a) Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 15-8-1987 as the date on which the Measured Rate System will be introduced in Surajpur, Thana Chhapar, Raiwali and Musafabad Telephone Exchanges in Haryana Telecom. Circle.

[No. 5-13/87-PHB]

का.भा. 2144.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक दूरसंचार विभाग ने रामनगरम टेलीफोन केन्द्र, करणाटका सर्किल में दिनांक 14-8-1987 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-7/87-पी एच बी]

S.O. 2144.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 14-8-87 as the date on which the Measured Rate System will be introduced in Ramnagram Telephone Exchange, Karnataka Telecom. Circle.

[No. 5-7/87-PHB]

नई दिल्ली, 3 अगस्त, 1987

का. भा. 2145.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक दूरसंचार विभाग ने चोला साहिब, घरायाला, हाटिके कीटा खदूर साहिब सर्जोटा, मौज-दुरा, पुनूआ, राजा सान्सी तथा घाटारो टेलीफोन केन्द्र, पंजाब में, दिनांक 15-8-1987 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-13/87 पी एच बी]

पी. भार. काटाना, सहायक महानिदेशक  
(पी. एच. बी.)

New Delhi, the 3rd August, 1987

S.O. 2145.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 15-8-1987 as the date on which the Measured Rate System will be introduced in Chola Sahib, Gharayala, Hatike, Kairon, Khad-door Sabib, Majitha, Naushera, Pannuan Raja Sansi and Attari Telephone Exchanges in Amritsar.

[o. 5-13/87-PHB]

P. R. KARRA, Asstt. Director General (PHB)

## अस मंत्रालय

नई दिल्ली, 28 जुलाई, 1987

का. भा. 2146.—प्रयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, झुझाड़ कोलियरी, मैसर्स भारत कोकिंग कोल लिमिटेड के प्रवक्ताओं के सम्मिलित निवेदनकों और उनके कर्मचारियों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक प्रतिक्रिया, संख्या 2, घनवाद के पंचाट का प्रकाशित करती है, जो केन्द्रिय सरकार का 21 जुलाई, 1987 को प्राप्त हुआ था।

## MINISTRY OF LABOUR

New Delhi, the 28th July, 1987

S.O. 2146.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Barragah Colliery of M/s. Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 21st July, 1987.

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 38 of 1986

In the matter of industrial dispute under Section 10(1)-(d) of the I. D. Act., 1947.

## PARTIES :

Employers in relation to the management of Burragarh Colliery of M/s. Bharat Coking Coal Limited and their workmen.

## APPEARANCES :

On behalf of the workmen.—Shri S. P. Singh, General Secretary, Kisan Mazdoor Congress.

On behalf of the employers.—Shri B. Joshi, Advocate.

STATE : Bihar.

INDUSTRY : Coal

Dated, Dhanbad, the 16th July 1987

## AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(184)/85-D.III(A), dated, the 13th January, 1986.

## SCHEDULE

"Whether the action of the management of Burragarh Colliery of M/s. Bharat Coking Coal Limited was justified in not regularising Shri Jukku Ahir immediately on completion of six months in the post of Mechanical Fitter in 1979? If not, to what relief the workman is entitled to?"

The case of the workmen is that the concerned workman Shri Jukku Ahir is a permanent employee of BCCL. He started working since 20-12-1968 and was designated as Looseman. While doing the job of a Looseman the concerned workman learnt the job of Mechanical Fitter during his off hours. When the management knew that the concerned workman was a good mechanical fitter, he was transferred on the job of Mechanical Fitter in 1977 and since then the concerned workman is regularly performing the duty of Mechanical Fitter. But his designation remained as looseman. The concerned workman approached the management several times for change of his designation but in spite of assurance his designation of Looseman was not changed. It is the policy decision of the management to regularise a workman if he has regularly worked in the job for continuously six months but this policy was not applied in the case of the concerned workman. After great pressure by the concerned workman the management regularised the concerned workman on the job of Mechanical Fitter on 19-10-84 after a lapse of 5 years. He was getting the wages of Cat. IV of the wage Board all along and was assured higher wages at the time of regularisation. His past services were not considered when he was regularised on the job of Mechanical Fitter. The matter was taken up by the union with the management but the management refused to consider the past services of the concerned workman through their office letter dt. 25/29-12-84. Thereafter the union raised an industrial dispute before the ALC(C) on 9-1-85. The management participated in the conciliation proceeding but the conciliation ended in failure and thereafter the present reference was made by the Govt. of India for adjudication before this Tribunal. Had the concerned workman been regularised in 1979 he would have been able to appear before the D.P.C. in the year 1982 and 1985, for his promotion but he lost two chances due to the illegal acts of the management. It is submitted that the action of the management in not regularising the concerned workman as Mechanical Fitter from 1979 was illegal and unjustified and it deprived him of the two chances of promotion. The workmen therefore demanded that the concerned workman should be given Cat. V.

The case of the management is that the concerned workman was originally appointed as trammer in Cat. III when he gained some experience as Trammer, he was given the job of signalling and coupling etc. and was designated as Looseman. The post of Looseman in the mine was abolished but the designation of the concerned workman continued as Looseman and he was getting the wages of Looseman in Cat. IV. As the scope for further promotion of the concerned workman was blocked he approached the management in 1978 to place him in the Mechanical cadre. After considering the prayer of the concerned workman, the management shifted him to mechanical cadre in 1979 and was given the job of mechanical helper. He had no experience from before to work as Mechanical helper or mechanical fitter prior to his placement in mechanical cadre. As the Mechanical helper are in Cat. II and Cat. III the designation of Looseman of the concerned workman was not changed and he continued to get Cat. IV wages although he was performing the job of Cat. II and Cat. III. The concerned workman worked with mechanical fitter of Cat. IV, Cat. V and Cat. VI as Mechanical Helper. As per cadre scheme a mechanical helper in Cat. II is promoted to helper in Cat. III, and when a mechanical helper is capable of performing the job of Fitter, he is promoted as Fitter in Cat. IV. The concerned workman was ultimately found suitable to be appointed as mechanical fitter in Cat. IV and he was therefore regularised as Mechanical Fitter in 1984. The case of promotion of the concerned workman from Cat. IV to Cat. V will be considered by the D.P.C. after he completes the eligibility period of 3 years from the date of his regularisation as Mechanical Fitter in 1984. The case of the management further is that there was no scope for a Looseman to learn the job of Fitter in his off hours as the job of Fitter is not available at the tramming level or at the haulage line where a Looseman is employed. The concerned workman was shifted to Mechanical cadre in 1979 as his own request and the management had not transferred of its own accord on the job of Mechanical Fitter. It was not correct to say that he was regularly working as Mechanical Fitter since 1977. A workman should be able to learn the job properly before he is regularised on the job being done by him. The said period of learning the job properly may vary from minimum of 6 months to one year or more depending upon the capacity of skill of a workman. The concerned workman was regularised as Mechanical Fitter as soon as he was suitable for the said job. The concerned workman was properly regularised in Cat. IV as Mechanical Fitter in 1984, after considering all his performance. He could not have been regularised as Cat. V Fitter directly. The concerned workman was not entitled to be regularised as Mechanical Fitter in 1979 and as such the claim for promotion to Cat. V has no basis. It is submitted on behalf of the management that concerned workman is not entitled to any relief.

The point for consideration is whether the concerned workman is entitled to be regularised immediately on completion of 6 months in the post of mechanical Fitter in 1979.

The management examined one witness and the workman examined two witnesses in support of their respective cases. The document of the workman have been exhibited as Ext. W-1 to W-9. No document was exhibited on behalf of the management.

It is admitted case of the parties that the concerned workman was formerly working as Looseman and was getting the wages of Cat. IV, the case of the workman is that he had learnt the job of Mechanical Fitter while he was doing the job of Looseman and therefore the management transferred him on the job of Mechanical Fitter in 1977 and since then he is regularly working as Mechanical Fitter although his designation remained as Looseman. The case of the management on the other hand is that when the engagement of a Looseman in the mine was abolished, the concerned workman approached the management in the year 1978 to place him in the Mechanical Cadre as he felt that there was no scope for further promotion and thereafter the management shifted the concerned workman to the Mechanical Cadre in 1979 and was given the job of Mechanical helper. The case of the management further is that the concerned workman had no previous experience of Mechanical Helper or Mechanical Fitter prior to his placement in mechanical cadre and he was

performing the job of Mechanical Helper of Category II and Category III and be continued to be designated as Looseman and getting Category IV wages. There is no document filed on behalf of the workman to show that he was performing the duties of mechanical fitter regularly since 1977 although his designation remained as Looseman. Further the workman has filed Ext. W-9 dated 7/10-10-84 regarding approval of reclassification/regularisation from time rate to time rate. This letter was written by the Personnel Manager, Kustore Area to the Agent/Manager, Burragarh Colliery which falls in Kustore area. It will appear from Ext. W-9 that the concerned workman Jakkhu Ahir in Sl. No. 3 who was designated as Looseman in Cat. IV was designated as Mechanical Fitter in Cat. IV after regularisation. This document, no doubt, shows that the concerned workman was working as Mechanical Fitter for sometime and was therefore regularised as Mechanical Fitter in Cat. IV. There is no other paper to show that the concerned workman was working as Mechanical Fitter since 1977. The case of the workman that the concerned workman was working as Mechanical Fitter since 1977 finds no support in the document. It is stated on behalf of the workman that the concerned workman had learnt the job of Mechanical Fitter while he was working as Looseman in his off hours. It is not possible for a Looseman to learn the job of Mechanical Fitter as the job of Mechanical Fitter is not connected with the job of Trammer. Moreover the management could not appoint a Looseman directly as a Mechanical Fitter unless it is satisfied that he is fit to work as a Mechanical Fitter.

WW-1 is the concerned workman. He has stated that since 1976 he is working as Mechanical Fitter and is getting the wages of Cat. IV although his designation is Looseman. He has himself admitted in his evidence that in 1984 his designation was changed to Mechanical Fitter and the said finds support from the document Ext. W-9. He has stated that he was told when his designation was changed to Mechanical Fitter in 1984 that he would be given Cat. V but there is no evidence in support of the fact that the management had assured him to give Cat. V. He has stated in his cross-examination that when the mine was submerged he was sent to work as Mechanical Fitter and that the mine was submerged under water for about 3 to 4 months. He has further stated that when the mine was submerged with water the pumps cables etc. used to be brought on the surface. When the area deep side was submerged the machinery was to be taken and installed on the higher level and when the water recedes the machines are again installed on the lower level and thereafter the work was done regularly in the underground. He has also stated that when he was working as Looseman there were others who were working as Mechanical Fitters. It will thus appear from this evidence that the concerned workman might have worked temporarily for 3 to 4 months as Mechanical Fitters when the Mines were submerged but from his evidence itself it appears that he was not regularly working as Mechanical Fitter. It will also appear in the evidence from his cross-examination that he was given elementary works of fitting of pipe during rainy season, WW-2 Abbas Mian is working as Pump Operator in Burragarh Colliery. He has stated that the concerned workman was working as Fitter in Burragarh Colliery since 1976. He has stated that the concerned workman had rectified the difficulties of the foot valve of the pumps and at another time the concerned workman had repaired the bearing by removing the bearing by fitting another bearing in the pump. He does not remember the time, date and year when the concerned workman had repaired the bearing of the pump and had repaired the foot valve of the Pump. MW-1 Shri A. Das is working as Asstt. Engineer in Burragarh Colliery. The concerned workman had worked under him. He has stated that the concerned workman approached him in 1978 to transfer him to the Mechanical side and thereafter in 1979 he was transferred to Mechanical side as Mechanical helper. He has further stated that the concerned workman was further deputed to work as Helper of Cat. IV, V and Cat. VI Fitters. He has stated that in 1984 the designation of the concerned workman was changed when he was regularised as Mechanical Fitter. He has further stated that the promotion of the Mechanical Fitters are given according to the promotion scheme and the case of the concerned workman is to be considered according to the said scheme for promotion. He has stated in his cross-examination that

the management does not maintain any register regarding the deputation of a workman as Mechanical Fitter and Fitter and that he has stated the facts on his personal knowledge about the concerned workman.

Considering the oral evidence along with Ext. W-9 it will appear that the concerned workman was regularised as Mechanical Fitter in Cat. IV in October, 1984. There is also no documentary evidence to show that the concerned workman had worked as Mechanical Fitter since 1977. As the concerned workman was working as Mechanical Fitter temporarily prior to October, 1984 and he was regularised in October, 1984 he cannot under the rules of promotion claim to be promoted as Mechanical Fitter in Cat. V unless he has completed the period of his experience of 3 years as Mechanical Fitter in Cat. IV. The dispute was raised in the year 1985 when the concerned workman had not completed the experience of 3 years as Mechanical Fitter in Cat. IV and as such it does not appear to reason that he should get his promotion in Cat. V from 1984 as being asserted by the concerned workman in his evidence as WW-1.

It appears that the claim of the workman is based on the facts that immediately on completion of 6 months in the post of Mechanical Fitter in 1979 the concerned workman was entitled to be regularised. There is no such rule or provision produced to show that a workman has to be regularised immediately on completion of 6 months in the post of Mechanical Fitter. The regularisation of a workman on the post he is working depends upon the performance of his work which he is doing and there appears to be no limit of time that the concerned workman must be regularised on completion of 6 months in the post in which he is working. There is absolutely no reliable evidence to establish that the concerned workman was working in the post of Mechanical Fitter continuously and regularly in 1979.

The other documents filed on behalf of the workman are letters relating to the demand made by the General Secretary of the Union to the General Manager (Ext. W-2 and W-3), reply of the management dt. 25-12-84 (Ext. W-4), letter of the General Secretary of the Union to the ALC(C), Dha bad (Ext. W-5, W-6, Ext. W-7) comments of the Agent of Burragarh Colliery (Ext. W-8) and Ext. W-1 which is the failure report given by the ALC(C), Dhanbad to the Secretary to the Government of India, Ministry of Labour. These documents are of no help in deciding the question regarding the period since when the concerned workman was working as Mechanical Fitter. The evidence on the point has already been discussed above.

In the result, I hold that the action of the Management of Burragarh Colliery of M/s. B.C.C.L. was justified in not regularising the concerned workman Shri Jakkhu Ahir on completion of 6 months in the post of Mechanical Fitter, and consequently the concerned workman is entitled to no relief.

This is my Award.

Dated : 16-7-87.

I. N. SINHA, Presiding Officer  
[No. L-20012/184/85-D.III(A)]

नई दिल्ली, 30 जुलाई, 1987

भा. भा. 2147--प्रौद्योगिक विवाद प्रविनिधन, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, ईस्ट कश्मीर कोलियरी एजेंसी लि. 4 नैसर्ग भारत कॉलिंग कोर लिमिटेड के प्रबन्धन के सम्बन्ध दिशेषकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट प्रौद्योगिक विवाद में केन्द्रीय सरकार प्रौद्योगिक प्रविनिधन संस्था 2, प्रस्ताव के पंचांग को प्रस्तुत करती है, जो केन्द्रीय सरकार को 22 जुलाई, 1987 को प्राप्त हुआ था।

New Delhi, the 30th July 1987

S.O. 2147.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of East Katra Colliery in Area No. IV of M/s. Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 22nd July, 1987.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD**

Reference No. 94 of 1986

In the matter of industrial dispute under Section 10(1)(d) of the I.D. Act. 1947.

**PARTIES :**

Employers in relation to the management of East Katras Colliery in Area No. IV of M/s. Bharat Coking Coal Ltd. and their workmen.

**APPEARANCES :**

On behalf of the workmen—Shri J. P. Singh, Advocate

On behalf of the employers—Shri B. Joshi Advocate.

STATE : Bihar.

INDUSTRY : Coal

Dhanbad, the 13th July, 1987

**AWARD**

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(271) 85-D.III(A), dated the Nil.

**SCHEDULE**

"Whether the demand of Janata Mazdoor Sangh that the Management of East Katras Colliery in Area No. IV of M/s. Bharat Coking Coal Ltd. should departmentalise and treat as regular workmen on the rolls of the Colliery, 22 Tyndel Mazdoors whose names are given in the Annexure is justified? If so, to what relief are these Tyndel Mazdoors entitled?"

**Annexure**

S/Shri

1. Harbans Singh
2. Surjit Singh
3. Raghunandan Paswan
4. Jamuna Paswan
5. Sukhbinder Singh
6. Kukhtar Singh
7. Samsudin
8. Rajendar Prasad
9. Jaswant Singh
10. Sakti Sarkar
11. Mahtap Singh
12. Gurmit Singh
13. Jaswindar Singh
14. Pram Kumar Biswakar
15. Rabinder Singh
16. Sadanand Prasad ma.
17. Sapan Kumar Misra
18. Mathura Das.

19. Sriksun Saw
20. Jamal Khan
21. Anand Pandey
22. K. Singh.

In this case both the parties made their appearance and filed their respective W.S. Thereafter the case proceeded along with its course. Ultimately on 19-6-87 both the parties appeared before me and filed a memorandum of settlement. I heard the parties on the said settlement. I do find that the terms contained therein are fair, proper and beneficial to both the parties and accordingly I accept the same and pass an Award in terms of the settlement which forms part of the Award as Annexure.

Sd/-

I. N. SINHA, Presiding Officer,  
[No. L-20012/271/85-D.III(A)]

**ANNEXURE**

**BEFORE THE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 AT DHANBAD**

Reference No. 94/86

Employees in relation to the management of East Katras Colliery

**AND**

**Their Workmen**

The humble petitioner on behalf of the parties to the above reference most respectfully sheweth :—

1. That the above dispute has been amicably settled between the parties on the following terms :—

**Terms of Settlement**

- (a) That the concerned workmen S/Shri Harbansh Singh and 21 others named in the schedule of reference will be taken on the roll of the management as "Back" Miners/Loaders to be deployed in any Colliery of the Katras Area. They will be made permanent after satisfactory completion of 190 days of attendance in a calendar year.
  - (b) That each of the concerned workmen will produce two copies of his photograph duly attested by the Mukhia of his village and the BDO of the Block in which his village situate alongwith a certificate from them giving details of his particulars such as his father's name, the home address age and his service experience within 30 days from the date of signing of the settlement.
  - (c) That each of the concerned workmen will produce a certificate of genuinity from the Contractor under whom they have worked duly verified by the Secretary of the Union raising this dispute and the Mine Official Incharge of the Contract job on which he was employed in the past within 30 days from the date of this settlement.
  - (d) That, in case any one of the concerned workmen fails to produce the certificates and photographs referred above within 30 days of the date of this settlement, he will not have any claim for his employment in future.
  - (e) That the concerned workmen will not claim wages bonus or any benefit from the management in respect of their past services in this Colliery or elsewhere in any Colliery of M/s. B.C.C.L. prior to the date of this settlement.
2. That in view of the above settlement, there remains nothing to be adjudicated.

Under the facts and circumstances stated above, the Hon'ble Tribunal will be graciously pleased to accept the settlement as fair and proper and be pleased to pass the Award in terms of the settlement

For the Workmen

1. Sd/- Illegible
2. Sd/- Illegible

For the Employers.

1. Sd/- illegible
2. Sd/- illegible

का. प्र. 2148.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, निचिठपुर कोयली, मे. भारत कोकिंग कोल लिमिटेड के प्रबन्धन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22 जुलाई, 1987 को प्राप्त हुआ था।

S.O. 2148.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2 Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Nichitpur Colliery of M/s. Bharat Coking Coal Ltd., and their workmen, which was received by the Central Government on the 22nd July 1987.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD.

Reference No. 188 of 1986

In the matter of industrial dispute under Section 10(1)(d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Nichitpur Colliery of Messrs Bharat Coking Coal Limited and their workmen.

APPEARANCES :

On behalf of the workmen—Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

On behalf of the employers—Shri B. Joshi, Advocate.

SATE : Bihar.

INDUSTRY : Coal.

Dated, the 14th July, 1987

#### AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/390/85-D.III(A) dated, the 21st May, 1986.

#### SCHEDULE

"Whether the action of the management of Nichitpur Colliery of M/s. Bharat Coking Coal Limited, in not allowing Shri Deoki Bhuia and Smt. Gangajali Kamin, wagon loaders to join their duties was justified? If not, to what relief are these workmen entitled?"

In this reference both the parties appeared but only the workmen filed their W.S. Thereafter several adjournments were granted to the employers. Ultimately on 19-6-87 both the parties appeared before me and filed a memorandum of settlement. I heard the parties on the said settlement and I

find that the terms contained therein are fair proper and beneficial to both the parties. Accordingly I accept the same and pass an Award in terms of the settlement which forms part of the Award as Annexure.

14-7-87.

I. N. SINHA, Presiding Officer  
[No. L-20012/390/85-D.III(A)]

#### ANNEXURE

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. 2 AT DHANBAD

Reference No. 188/86

Employers in relation to the management of Nichitpur colliery.

AND

Their Workmen

Petition of compromise

The humble petition on behalf of the parties to the above reference most respectfully sheweth :—

1. That the above dispute has been amicably settled on the following terms :—

#### Terms of settlement

- (a) That the concerned workmen namely Sri Deoki Bhuia and Smt. Gangajali Kamin Wagon loaders will accept the transfer from Jogta Fire Project and will resume their duties at Nichitpur colliery within 15 days from signing of this settlement.
  - (b) That the period of absence from the date of resumption of duties will be deemed to be leave without wages and the continuity of service will be maintained.
  - (c) That the concerned workmen will not claim any wages or benefits for the period of idleness.
2. That in view of the settlement there remains nothing to be adjudicated.

It is, therefore, humbly prayed that the Hon'ble Tribunal will be graciously pleased to accept the terms of the settlement as fair and proper and be pleased to pass the Award in terms of the settlement.

For the workmen

For the employers

Sd/- illegible

1. Sd/- Illegible

2. Sd/- Illegible

नई दिल्ली, 4 अगस्त, 1987

का. प्र. 2149.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, कुमवा कोयली, मेसर्स भारत कोकिंग कोल लिमिटेड के प्रबन्धन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 2 धनबाद के पंचाट को प्रकाशित करता है, जो केन्द्रीय सरकार को 28 जुलाई, 1987 को प्राप्त हुआ था।

New Delhi, the 4th August, 1987

S.O. 2149.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the

Annexure, in the industrial dispute between the employers in relation to the management of Kusunda Colliery of M/s. Bharat Cooking Coal Limited and their workmen, which was received by the Central Government on the 28th July, 1987.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD**

Reference No. 118 of 1986

In the matter of industrial dispute under Section 10(1)(d) of the I. D. Act, 1947

**PARTIES :**

Employers in relation to the management of Kusunda Colliery of M/s. Bharat Coking Coal Limited and their workmen.

**APPEARANCES :**

On behalf of the workmen: Shri. Lahit Burman, Vice-President, United Coal Workers Union.

On behalf of the employers: Shri B. Joshi, Advocate.

STATE: Bihar. INDUSTRY: Coal.  
Dated, Dhanbad, the 21st July, 1987

**AWARD**

The Government of India, Ministry of Labour in exercise of the powers conferred in them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(270)/85/D.III(A), dated, the 27th February, 1986.

**SCHEDULE**

"Whether the action of the management of Kusunda Colliery in Kusunda Area No. VI of M/s. Bharat Coking Coal Limited in refusing to refer Shri Chandradeo Singh, Night Guard, who was superannuated from service in July, 1984 to Medical Board for assessment of age as per the JBCCI decision is justified? If not, to what relief the workman is entitled?"

The case of the workmen is that the concerned workman Shri Chandradeo Singh was working as a Night Guard in Kusunda Colliery of M/s. B.C.C.L. since 1951. On 24-7-84 the Supdt. of Mines, Kusunda Colliery issued a notice to the concerned workman stating that he had attained the age of 60 years on 31-12-1983 and should have been retired with effect from 1-1-84. But as he was not retired on that date he was being retired from the services with immediate effect i.e. from 24-7-84. On receipt of the above notice the concerned workman made a representation dated 2-8-84 to the Supdt. of Mines, Kusunda colliery stating that the date of his birth recorded in identity card No. 50481 was 1-7-1928 and as such the date of his superannuation should be 1-7-88 and requested that he should be allowed to resume his duties. The management refused to consider the case of the concerned workman and thereafter an industrial dispute was raised by the union vide its representation dt. 29-10-84 to the ALC(C), Dhanbad. The management in their comment before the ALC(C), Dhanbad contended that the age of the concerned workman was recorded as 48 years in Form B Register which was prepared after the take over of the colliery by the Central Government in October, 1971 and that the management had no record of the age mentioned in the C.M.P.F. Form. The management had apparently no record of age/date of birth of the concerned workman at the time of his appointment in the colliery in 1951 and there was serious discrepancy in the age of the concerned workman recorded in Form B Register prepared in 1971 and the date of his birth as mentioned in the identity card issued to him, and C.M.P.F. records and as such the union demanded that the concerned workman should be reinstated with full wages and other benefits from 24-7-84, the date when the services of the concerned workman was terminated.

The management refused to accede to the demand of the union and also refused to accept the suggestion of the ALC(C), Dhanbad to refer the concerned workman

to the Medical Board for assessment of his age as per JBCCI circular. The action of the management of Kusunda Colliery in terminating the services of the concerned workman by superannuating him with effect from 24-7-84 is wrong, illegal and totally unjustified and that the refusal of the management to refer the concerned workman to the Medical Board for the assessment of his age as per JBCCI decision is not justified. On the above plea it was submitted on behalf of the concerned workman that he is entitled to be reinstated in service with full back wages and other benefits with effect from 24-7-84 till the date of his reinstatement.

The case of the management is that the concerned workman was rightly superannuated after he attained the age of superannuation. The age of the concerned workman was recorded as 48 years in Form B Register maintained under Section 48 of the Mines Act, 1952. The said Form B Register was written in the year 1971 between the period from 17-10-71 till the end of 1971 and his year of birth was 1923 on the basis of the calculation. The concerned workman had declared his date of birth as 1-7-1923 at the time of recording the same in the identity card register. There is no discrepancy in the age of the concerned workman recorded in Form B Register and the identity card register. Had there been any glaring error in recording the age in Form B Register and Identity card register, approximate age of the concerned workman could have been obtained on the basis of assessment by the medical board. The age recorded in statutory Form B Register and the date of birth recorded in Official Identity card Register duly authenticated by the concerned workman bind the concerned workman and the union and no dispute can be raised on that issue. The date of birth of the concerned workman in the identity card register is 1-7-83 and as such the date of his birth in the identity card cannot be 1-7-1928 as the date of birth is recorded in the identity card on the basis of the date of birth noted in the identity card register. The date of birth recorded in the identity card 1-7-1928 is concoction and fabrication. Form B Register is required to be maintained under the Mines Act, 1952 during the period of private management of the collieries and the age column of the workmen were required to be filled in. The management of B.C.C.L. prepared its own Form B Register on the basis of the old Form B Register of the private management and as such it cannot be said that there was no record of age of the concerned workman during private management. The date of birth of the concerned workman was entered in the I.D. Card register on the basis of the declaration as 1-7-1923. There is no serious discrepancy in the recording of age in different registers. On the above plea it has been prayed on behalf of the management that the concerned workman is not entitled to any relief.

The only point for decision in this case is whether it is a fit case in which the concerned workman should have been referred to the Medical Board for assessment of his age.

The management and the workman have each examined one witness in support of their respective case. The workmen have exhibited documents which are marked Ext. W-1 to W-4 and the documents produced on behalf of the management have been marked as Ext. M-1 and M-2.

Admittedly, the concerned workman has been retired from his services with effect from 24-7-84 vide Ext. W-1 issued on that very date. It appears therefore that the date of superannuation of the concerned workman according to the management 31-6-83. It will further appear from the case of the management that the date of birth of the concerned workman recorded in Form B Register in 1971 was 48 years and that his date of birth as noted in Identity card register is 1-7-1923 and accordingly the concerned workman completed 60 years on 31-6-83. Ext. M-1 is the photo copy of the Form B Register which had been prepared by the management sometime in the year 1971 and it shows at Sl. no. 117 that the concerned workman Chandradeo Singh was aged 45 years when Form B Register was prepared by BCCI. This Ext. M-1 is only portion of the sheet of Form B Register and the other half of this page is missing. However, it will only show that the age of the concerned workman was mentioned as 48 years but this page will not show the year in which the concerned workman was aged 48 years. Ext. M-2 is the photo copy of the identity card register which shows that the date of birth of



the concerned workman was noted as 1-7-1923 and this is the basis on which according to the management, the concerned workman has been superannuated when he had completed 60 years of service. Ext. M-2 does not contain the signature of the concerned workman at any place so as to fasten him with the knowledge regarding his date of birth recorded in identity card register. Ext. W-1 dated 24-7-84 is the letter issued the Supt. of Mines Kusunda Colliery to the concerned workman which mentions that as the concerned workman had already attained the age of 60 years on 31-12-83 he should have retired the services of the colliery with effect from 1-1-84 as per decision of the board and as this could not be done at that time, he is being retired from service with immediate effect. This letter issued by the management itself is confusing regarding the date of superannuation of the concerned workman. According to the management the date of birth of the concerned workman was shown as 1-7-23 in the identity card register Ext. M-2 and as such the date of superannuation of the concerned workman on 31-12-83 stated in Ext. W-1 is not correct. The concerned workman has proved Ext. W-2 which is the declaration in Form A before the C.M.P.F. office. It will appear from Ext. W-2 that the date of birth of the concerned workman shown in it is 1-7-28. The declaration in Form A Ext. W-2 was sent by the Manager, Kusunda colliery to the Regional Commissioner, C.M.P.F., Dhanbad vide letter dt. 23-2-80 and the said letter by which Form A of the concerned workman was forwarded by the Manager is marked ext. W-3. This declaration in Form A no doubt was made on 23-2-80. WW-1 has stated that he nominated his nephew Shri Kapildeo Singh as his nominee in Form A in respect of his P. F. as he had no issue of his own and has remained a bachelor althrough. He has stated in his cross-examination that he cannot say the exact date when Form A Ext. W-2 and the forwarding letter Ext. W-3 were sent to the Regional Commissioner C.M.P.F. but it appears from Ext. W-2 and W-3 itself that Form A was prepared on 23-2-80 and was also forwarded by the Manager, Kusunda Colliery on the same date. It has been suggested to WW-1 by the management that Ext. W-2 and W-3 are not genuine document and that they have been fabricated for the purpose of this case. But the management has not made any effort to produce a copy of Form A which is retained in the Office of the management while sending the original Form A workman to the Regional Commissioner, C.M.P.F. in support of this case.

MW-1 Shri M. R. Haque is working as Senior P. O. in Kusunda area. He has stated that he got the photo copy of Form B Register and identity card register in respect of concerned workman and that he has produced the said relevant extract of Form B Register Ext. M-1 and identity card register Ext. M-2. He has stated that after the take over of the colliery in 1971, Form B Register was prepared by BCCI. and that the age of the concerned workman recorded in Form B Register Ext. M-1 is 48 years and the concerned workman was superannuated on the basis of his age recorded in Ext. M-1 and M-2. He has further stated that all identity card registers and Form B Registers of Kusunda Colliery were seized by the CBI in connection with some criminal case and the original register have not been returned and therefore the original relevant register cannot be filed before this Court. He has stated that Form A under C.M.P.F. is sent to the office of C.M.P.F. after 60 days of continuous working of workman. He has further stated that there has been manipulate on in the age of the workman by the C.M.P.F. office in Form A. The management did not produce a copy of Form A which they must have got back at the time of take over from the erstwhile management but no effort has been made to produce the same nor the management tried to call for the Form A of the concerned workman which had been sent by the erstwhile management to C.M.P.F. on the contrary the workman have filed photo copy of Form A Ext. W-2 bearing the signature of the then Manager and Personnel Officer of Kusunda Colliery. In his cross-examination MW-1 has stated that he has no knowledge whether fresh nomination is sent to C.M.P.F. by the management if there is no nomination or if the nomination of workman is traceless. WW-1 has asserted that he had sent the nomination in Form A which is the Ext. W-2 in the case.

It is clear from Ext. M-1 that no specific date of birth is mentioned in it but in Ext. M-2 there is specific mention the date of birth of the concerned workman. On pursuit of 712 GI/87-8

Ext. M-2 it will appear that the age of birth of all four workmen mentioned in the said page is 1.7 but the years are different. This denotes that 1.7 was not the exact date of birth of the workman and it was an arbitrary date and month written by the management. The entries in the identity card register is made on the basis of Form B Register which alone under the statute is required to be entered on the basis of the statement and papers produced on behalf of the workman concerned. The particulars mentioned in identity card register are brought forwarded from the entries in Form B Register. The assertion of the management that the date of birth of the concerned workman as noted Ext. M-2 was on the basis of declaration made by the concerned workman is not supported by any witness nor there is signature of the concerned workman against it to bind him with the fact or knowledge that the said date of birth was its own declaration or that the concerned workman knew that date of his birth recorded in identity card register was 1-7-1923.

The fact that there was no entry of date of birth of the concerned workman in Ext. M-2 as 1-7-1923 appears to have some support from the facts stated in Ext. W-1 dated 27-4-84. It is stated in Ext. W-1 that the concerned workman had already attained the age of 60 years on 31-12-1983 and he should have retired from service with effect from 1-1-84 but since this cannot be done at that time he was being retired from service with immediate effect. Had there been mention of the age of the concerned workman as 1-7-1923 in Ext. M-2 at the time when Ext. W-1 was written it would have been specifically stated in Ext. W-1 that the concerned workman had attained the age of 60 years or 30-6-1983 and as such he should have retired on 1-7-1983 but it was not so stated in Ext. W-1 and instead of it was mentioned that he had attained the age of 60 years on 31-12-1983. Thus the correctness of the entries of the date of birth of the concerned workman in Ext. M-2 appears to be very doubtful.

MW-1 has stated in his cross-examination that there is a JBCCI circular to the effect that when there is discrepancy in the statutory registers such as Form B Register and identity card register the workman may be sent to the Medical Board for an assessment of his age. He has further stated that if there is discrepancy between C.M.P.F. register and Form B Register the workman has to be sent to the Medical Board for determination of his age. I have already discussed above about the doubtful mention of the date of birth of the concerned workman in Ext. M-2 as 1st July, 1923 and the mention of the age of the concerned workman as 1st July, 1923 in Form A of C.M.P.F. and also the mention of his age as 48 years in Form B Register Ext. M-1 which all go to show the glaring discrepancy in the date of birth of the concerned workman recorded in identity card register and C.M.P.F. paper. Accordingly, according to JBCCI circular and as admitted by MW-1 the case of the concerned workman is fit to be sent to the Medical Board for the assessment of his age. Superannuation of the concerned workman will depend on the assessment of age by the Medical Board and if according to the findings of the Medical Board there is still time for the superannuation of the concerned workman, he would be reinstated and continue in service till the date of his superannuation in accordance with the age assessed by the Medical Board. The concerned workman will also get the arrears of his wages along with other benefits from the date he was retirement.

In the result, I hold that the action of the management of Kusunda Colliery in refusing to refer the concerned workman to the Medical Board for assessment of his age as per JBCCI decision is not justified. The management is directed to refer the concerned workman to the medical board for the assessment of his age within one month from the date of publication of this Award after informing the concerned workman of the date when he has to appear before the medical board for the assessment of his age. The question of payment of arrears of wages and other benefits and the question of reinstatement of the concerned workman will depend upon the assessment of age by the medical board. In case the medical board finds that he had completed the age of 60 years at the time of his superannuation, the concerned workman will not be entitled to any benefit but if the medical board finds that the concerned workman is

less than 60 years of age the concerned workman will be reinstated in his service and will be superannuated on completing the age of 60 years and will also be entitled to the arrears of wages and other benefits from the date he was superannuated.

This is my Award.

Dated : 21-7-87.

I. N. SINHA, Presiding Officer  
[No. L-20012/270/85-D. III(A)]

का. प्रा. 2150.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) के धारा 17 के अनुसरण में, केन्द्रीय सरकार केशसर्गढ़ कॉलियरी मैसर्स भारत कोकिंग कोल लिमिटेड, के प्रबन्धन के सम्बन्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या-1, धनबाद के पत्रादेश को प्रकाशित करती है, जो केन्द्रीय सरकार को 28 जुलाई, 1987 को प्राप्त हुआ था।

SO. 2150.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 1, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kessurgarh Colliery of M/s. Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 28th July, 1987.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Dispute Act, 1947.

Reference No. 46 of 1982.

#### PARTIES :

Employers in relation to the management of Kessurgarh Colliery of M/s. Bharat Coking Coal Ltd., P. O. Nawagarh, Dist. Dhanbad.

AND

Their Workmen

#### PRESENT :

Shri S. K. Mitra, Presiding Officer.

#### APPEARANCES :

For the Employers.—Shri B. Joshi, Advocate.

For the Workmen.—None.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, dated the 20th July, 1987

#### AWARD

The Central Government in the Ministry of Labour vide Order No. I-20012(6)82-D. III(A) dated, the 4th May, 1982 in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, has referred the following dispute for adjudication to this Tribunal. The schedule of the dispute runs as follows :—

"Whether the demand of the workmen of Kessurgarh Colliery of Messrs Bharat Coking Coal Limited, Post Office Nawagarh District Dhanbad that the management should reinstate Shri Bhupati Bhusan Chakraborty, Compounder, with effect from the 21st July, 1979, is justified? If so, to what relief is the workman concerned entitled?"

2. The case of the concerned workman, Bhupati Bhusan Chakraborty, is as follows :

The concerned workman was appointed in the capacity of Compounder at Kessurgarh Colliery on 29-10-1972 under M/s. Bharat Coking Coal Ltd. His date of birth was recorded as 4-11-1921, but the management retired him from service on 21-7-1979 before he reached the age of superannuation of 60 years. In the circumstance the concerned workman has prayed that the order of the management retiring him from service with effect from 21-7-1979 is not justified and that he should be reinstated in service with effect from that date and be allowed to perform his duty till he reaches the age of superannuation on 4-11-1981.

3. The management in their written statement has stated that the concerned workman is a literate person and he was working as Compounder at Kessurgarh Colliery. His son, J. Chakravorty, is an overman and his date of birth is 1-4-1929. His son is an educated man and he obtained overman's certificate and that he submitted his age before the Director General of Mines Safety, Dhanbad, at the time of applying as a candidate for examination held in connection with selection of overman. It is absurd that the date of birth of the concerned workman was 4-11-1921 when the date of birth of his son is 1-4-1929. The concerned workman failed to substantiate his claim that his date of birth was 4-11-1921 and consequently he was sent to a Medical Board for determination of his age. The Medical Board examined him on 1-2-1977 and declared his age as 58 years or more on the date of examination. He accepted his age as 58 years and put his signature on the reports of the Medical Board. In the circumstances it is asserted that the concerned workman was rightly superannuated with effect from 21-7-1979, the age of superannuation being 60 years.

4. The management examined Sri S. K. Singh, Personnel Officer of Area-I of M/s. B.C.C. Ltd. and introduced in evidence a mass of documents which have been marked as Exts. M-1 to M-3.

5. Admittedly, the concerned workman is a literate person and was appointed in the capacity of a Compounder at Kessurgarh colliery now vested in M/s. B.C.C. Ltd., MW-1. S. K. Singh has stated that he has been working as Personnel Officer of Area-I of M/s. B.C.C. Ltd. since 2-5-76 and that Area-I was split up into two in 1984 as Area-I and Block-II and that Kessurgarh colliery was placed in Block-II. He has further stated that as per extent rule all workmen of collieries under M/s. B.C.C. Ltd. reach the age of superannuation at the age of 60 years and that the concerned workman was superannuated with effect from 21-7-1979. He has further stated that the date of birth of the concerned workman, as per Identity Card, was 4-11-1921 while the date of birth of his son J. Chakravorty working in Benedih colliery under the same block was 1-4-1929. He has also stated that in view of the age of the concerned workman and his son as recorded in the records there arose suspicion with regard to the actual date of birth of the concerned workman and that the matter was referred to Medical Board consisting of Dr. P. N. Pandey and Dr. B. P. Singh. His testimony further establishes the fact that both the doctors examined the concerned workman and submitted medical report separately and as per the medical report the concerned workman reached the age of 58 years on 1-2-1977.

I have perused the medical reports submitted by Dr. P. N. Pandey and Dr. B. P. Singh which have been marked Exts. M-1 and M-2. In both the reports the age of the concerned workman was determined to be 58 years on 1-2-1977. The concerned workman has signed the reports of the Medical Board and his signatures have been marked Exts. M-1/1 and M-2/1. It has been asserted by MW-1 S. K. Singh that the concerned workman accepted the report by putting his signatures thereon. In view of the fact that the date of birth of the son of the concerned workman was recorded as 1-4-1929, the age of the concerned workman cannot by any stretch be 4-11-1921. This is also established by the reports of the Medical Board where the

age of the concerned workman was determined to be 58 years on 1-2-1977. This being the position, I come to the conclusion that the concerned workman reached the age of superannuation on 1-2-1979 and that his date of birth was in the earlier part of 1919, but the concerned workman was superannuated with effect from 21-7-1979. Thus it is obvious that the management has taken a very lenient view in the matter of determination of his age and in retiring him from service with effect from 21-7-1979.

6. Considering all the facts and circumstances I come to the conclusion that the demand of the concerned workman for reinstatement in service is not justified. The reference is answered accordingly. In the circumstance of the case parties to bear their own cost.

S. K. MITRA, Presiding Officer

[No. L-20012/6/82-D. III(A)]

श्री. आ. 2151.—श्रीयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, गोविन्द पुर कॉलियरी, मेसर्स भारत कोकिंग कोल लिमिटेड के प्रबन्धन के सम्बद्ध विवादों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, मन्धा 2, धनबाद के पंचवट का प्रकाशित करता है, जो केन्द्रीय सरकार की 28 जुलाई, 1987 का प्राप्त हुआ था।

S.O. 2151.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Govindpur Colliery of M/s. Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 28th July, 1987.

# BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. (2) AT DHANBAD

Reference No. 136 of 1986

In the matter of Industrial Dispute under Section 10(1)(d)  
of the I. D. Act, 1947

## PARTIES :

Employers in relation to the management of Govindpur Colliery of M/s. Bharat Coking Coal Limited and their workmen.

## APPEARANCES :

On behalf of the workmen—Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

On behalf of the employers—Shri B. Joshi, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, date the 22nd July, 1987

## AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012 (296)/86-D.III (A), dated, the 18th March, 1986.

## SCHEDULE

"Whether the action of the management of Govindpur Colliery of M/s. Bharat Coking Coal Limited in Superannuating from service their workmen, Shri G. C. Tiwary, Munshi, in April, 1985 was justified? If not, to what relief is the said workman entitled?"

The case of the workmen is that the concerned workmen Shri G. C. Tiwary was appointed on 19-1-52 and was working as permanent Munshi. He was appointed during the

existence of the employer. At the time of his employment the date of birth and other particulars of the concerned workman was recorded in Form B Register. As per Form B Register of the concerned employer the date of birth of the concerned workman was recorded as 15-4-1925. After finalisation of the matter the management issued an identity card to him stating his date of birth as 15-4-1925. The particulars in the identity card are filed up as per Form B Register. Thus according to the identity card issued to the concerned workman the date of his retirement was 15-4-1985. The management issued a letter of superannuation to him dated 17-3-85 proposing to retire him with effect from 15-4-85 in violation of his date of birth mentioned in the identity card register. The concerned workman protested against the proposed illegal and arbitrary superannuation notice dated 17-3-85 but without any effect. Thereafter the concerned workman raised an industrial dispute on 4-4-85 through his union before the ALCC, Dhanbad challenging his proposed illegal superannuation with effect from 15-4-85. The conciliation proceeding before the ALCC, Dhanbad ended in failure. The union submitted photo copy of the identity card of the concerned workman issued by the management and also a circular dated 26-7-77 issued by the management. As per circular dated 26-7-77 the union demanded that the concerned workman should be referred to the medical board for determination of his age as there was variation in the Form B and identity card registers. The management produced Form B Register before the conciliation officer which on perusal was found that the writing in the Form B Register against the name of the concerned workman, the date 15-4-85 was written in ink different from the ink 1925 in his birth column. It was submitted on behalf of the union that the year 1925 had been interpolated in Form B Register. On receiving the failure report the Government referred the present dispute for adjudication to this Tribunal. It is submitted that the action of the management in superannuating the concerned workman with effect from April, 1985 was illegal, arbitrary, unjustified and against the document issued by the management. It was further submitted that the action of the management in superannuating the concerned workman without referring him to the medical board for determination of his age as per circular dated 26-7-77 was illegal, arbitrary and against their own policy decision. On the above plea it has been prayed that the concerned workman be reinstated with full back wages.

The case of the management is that as per Form B Register maintained under Section 48 of the Mines Act, 1952, the date of birth of the concerned workman is 15-4-1925 and as such the concerned workman was superannuated with effect from 15-4-85 after he attained the age of 60 years which is the age of superannuation. Form B Register is a statutory document the entries of which have been duly authenticated by the concerned workman and he has no right to challenge the correctness of the entry in it. The concerned workman had claimed during the conciliation proceeding that his date of birth was 15-2-26 and he was prematurely retired from his service but he failed to substantiate his claim with any genuine document. The difference of age is about 10 months between the recorded age of the concerned workman in the statutory document and the age being claimed by him and the medical board cannot ascertain the exact date of birth of the concerned workman. As such the management did not consider the issue fit for referring the concerned workman to the Medical Board for determination of his age and accepted the date of birth as recorded in Form B Register. It was incorrect to suggest that the date of birth recorded in Form B Register was 15-4-26. The date of birth of the concerned workman was 15-4-25 as will be found in Form B Register of the present management which was copied from Form B Register of the erstwhile management. The identity card was no doubt issued by the present management and the entries made in the identity card were true copies of Form B Register. The date of birth of the concerned workman in the identity card cannot be 15-4-26 when the date of his birth in Form B Register is 15-4-1925. The entry of the date of birth in the identity card of the concerned workman was due to manipulation or with the connivance of the clerks of the management. On the above plea it is submitted that the action of the management in superannuating the concerned workman with effect from 15-4-1985 is legal, bonafide and justified and the concerned workman is entitled to no relief.

The only point for determination in this reference is whether the concerned workman had completed the age of 60 years on 15-4-85.

The management and the workmen have each examined one witness in support of their case. Ext. M-1 and M-2 have been marked on behalf of the management and Ext. W-1 and W-2 have been marked on behalf of the workmen.

According to the management the date of birth of the concerned workman was 15-4-25 and accordingly they justified the superannuation of the concerned workman with effect from 15-4-1985. The case of the workman, on the other hand, is that his date of birth was 15-4-1926 and as such the date of his superannuation would be 15-4-1985 and that he was prematurely superannuated one year prior to the actual date of his superannuation. Thus only point of difference between the management and the workmen is whether the date of birth of the concerned workman was 15-4-1925 or it was 15-4-1926.

Ext. M-1 is an extract from Form B Register. At Sl. No. 15 of the Ext. M-1 it will appear that the date of birth of the concerned workman Shri G. C. Tewary is noted as 15-4-1925. The management had also produced the original Form B Register and the Tribunal had the opportunity to peruse the same. MW-1 in his cross-examination has stated that the particulars of a workman on appointment are filled up in Form B Register. The said Form B Register of which Ext. M-1 is an extract was prepared by BCCCL on the basis of Form B Register of the erstwhile management in respect of the workmen who were working under the erstwhile management. He has stated that the Form B Register of the erstwhile management is not available. He has further stated that he was not posted in Govindpur Colliery in the year 1973 when Form B Register was prepared by the present management. He has also stated that the identity card is the only document given to a workman in respect of service particulars stated in Form B Register. It was suggested that '15-4' in the age column of the concerned workman Ext. M-1 is in different ink from the year '1925' written in the said column to which he has denied but when I perused the original Form B Register it was apparent that the ink of '15-4' was different from the ink of '1925' in the age column and the difference is also visibly marked in the photo copy Ext. M-1 as the writing '15-4' is deep while the writing '1925' is faint. This is because of the difference in the colour of the ink used in writing the said age column.

Ext. M-2 is the identity card register. It will appear from the identity card register that in Sl. No. 20403 the age of the concerned workman G. C. Tewary is noted as 15-4-1925.—On careful perusal of the year '25' in Ext. M-2 it will appear that in '25' the numerical No. '5' has been overwritten on '6'. Thus it is clear that the year '25' in the age column of the concerned workman has been overwritten on '26'. This shows that the age of the concerned workman was originally noted as 15-4-1926 in the identity card register Ext. M-2 and that an attempt has been made to make it 15-4-25 by overwriting so as to make the date of birth as 15-4-25. Ext. W-2 is the identity card issued to the concerned workman by the management on 30-7-73. The date of birth of the concerned workman is clearly written as 15-4-26 in the said identity card Ext. W-2. MW-1 has himself has stated that the particulars in identity card is prepared on the basis of the identity card register and the identity card register is prepared on the basis of Form B Register. It appears that as 15-4-26 was the date of birth of the concerned workman noted in the identity card register in 1973 and as such the date of birth of the concerned workman was written as 15-4-1926 in the identity card Ext. W-2 which was copied from the identity card register. The correction in the identity card register Ext. M-2 appears to have been made subsequently by overwriting on the year of birth '26' and making it '25'. I hold that the date of birth as given in the identity card Ext. W-2 as 15-4-26 was in accordance with the date of birth recorded in the identity card register Ext. M-2 at the time when the identity card was issued in 1973. I have already stated that the date of birth of the concerned workman in Form B Register Ext. M-1 appears to be doubtful in nature because of the use of different ink in the date of birth. It has been admitted by MW-1 that Ext. M-1 was prepared on the basis of the Form B Register of the erstwhile management. If the date of birth of the concerned workman was written as 15-4-1925

in the Form B Register of the erstwhile management there was no reason for the management's staff to write the date of birth of the concerned workman only in a different ink. In order to establish the fact that the date of birth was carried out in Ext. M-1 from Form B Register of the erstwhile management, the management should have produced the Form B Register of the erstwhile management and on a mere statement of MW-1 that the Form B Register of the time of the erstwhile management is not available is not enough to show the genuineness of the date of birth of the concerned workman in Ext. M-1 which has been made doubtful because of the use of different ink in the date of birth of the concerned workman.

WW-1 G. C. Tewary is the concerned workman. He has stated that he was appointed during the erstwhile management of the Govindpur Colliery as Munshi and that his date of birth was noted as 15-4-1926 in Form B Register of the erstwhile management. He has further stated that in identity card his date of birth was stated as 15-4-26 and we do not find from Ext. W-2 that his assertion is correct so far the entry of his date of birth as 15-4-26 is concerned in the identity card. He has stated that he has retired on 15-4-85 when he was aged 59 years only. He has stated that he does not remember his C.M.P.F. number. The management did not produce the declaration in Form A which is sent to the Commissioner, C.M.P.F. although the copy of the said Form is maintained by the office. Even if the said Form was not available in the office of the management the management could have called for the declaration in Form A from the C.M.P.F. office to show that the date of the concerned workman was noted as 15-4-25 in the declaration made by the concerned workman. WW-1 has denied that the entry of his age as 15-4-25 in Form B Register is correct and that the said entry was made on the basis of Form B Register of the erstwhile management.

On consideration of the entire evidence on the record I hold that the date of birth of the concerned workman was originally noted as 15-4-1926 in the identity card register Ext. M-2 and the identity card Ext. W-2 was issued to the concerned workman on its basis stating the age as 15-4-26. I further hold that the date of birth as noted in Form B Register as Ext. M-1 is not at all reliable and as such it is not at all safe to rely on the said entry. Accordingly I hold that the date of birth of the concerned workman is 15-4-1926 and he should have been superannuated with effect from 15-4-86 when he attained the age of 60 years which is the age of superannuation.

The workmen have filed Ext. W-1 which is the circular dated 19-7-77 relating to the constitution of the medical board for age verification of a workman. It will appear from the W.S. of the management itself that as there was the difference of age of about one year according to the disputing parties, there was no need to get the age of the concerned workman ascertain by the medical board as the medical board also cannot be able to give the exact date of birth of a person. As the difference in the age being asserted by the contesting parties is about a year only and the medical board cannot arrive at the exact date of birth of a person and can give only an approximate age, it is not worthwhile to refer the concerned workman now to the medical board for ascertaining his age. Moreover as discussed above it will appear that as there is evidence apparent from the management's record that the date of birth of the concerned workman was recorded as 15-4-1926, the Tribunal has come to a finding that the date of birth of the concerned workman is 15-4-1926. Thus the necessity of referring the concerned workman to the medical board for the determination of his age is not necessary.

In the result I hold that the action of the management of Govindpur Colliery of M/s. BCCCL in superannuating the concerned workman Shri G. C. Tewary, Munshi from service in April, 1985 was not justified and I hold that the concerned workman should have been superannuated with effect from 15-4-1986. Now that the concerned workman had already completed more than 60 years of age, there is no need to terminate him in service from 15-4-1985 and ends of justice will be met if the concerned workman is given the wage and other emoluments for the period of one year. The

management is directed to pay the wages and all other emolument, which the concerned workman is entitled for the period of one year from 15-4-85 to 14-4-86.

Dated : 22-7-1987.

I. N. SINHA, Presiding Officer

[No. L-20012/296/85-D III (A)]

क मा 2152.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मूनीदिह प्राजेक्ट, मैगस भारत कोकिंग कोल लिमिटेड के प्रबन्धन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक प्रतिकरण संख्या-2, धनबाद के पंचपद की प्ररणिता करता है, जो केन्द्रीय सरकार की 27 जुलाई, 1987 की प्राप्ति हुआ था।

S.O. 2152.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure. In the industrial dispute between the employers in relation to the management of Moonidih Project of M/s Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 27th July, 1987.

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD.

Reference No. 120 of 1986

In the matter of industrial dispute under Section 10(1) (d) of the I. D. Act, 1947.

**PARTIES :** Employers in relation to the management of Moonidih Project of M/s. Bharat Coking Coal Limited and their workmen.

#### APPEARANCES :

On behalf of the workmen : Shri R. P. Singh, Vice President, Colliery Karamchari Sangh.

On behalf of the employers : Shri B. Joshi, Advocate

**STATE :** Bihar **Industry :** Coal.

Dhanbad, the 20th July, 1987

#### AWARD

The Government of India, Ministry of Labour in exercise of powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following disputes to this Tribunal for adjudication vide their order No. L-20012(297)/85/D. III(A), dated the 27th February, 1986.

#### THE SCHEDULE

"Whether the demand of Colliery Karamchari Sangh that the management of the Moonidih Project of M/s. Bharat Coking Coal Limited should give promotion to Shri Ram Subhag Tiwari, Electrician to the next higher grade from the date on which he was said to have been superseded by the promotion of other workmen junior to him, is justified? If so, to what relief is the workman concerned entitled?"

The case of the workmen is that the concerned workman Shri Ram Subhag Tewari was appointed as Msc. Mazdoor in Cat. I in the year 1971 in Moonidih Project. He was promoted to the post of Electrician Helper Cat. II vide order dated 28-8-1973. In 1981 he was promoted to the post of Electrician Cat. VI and his position was Sl. No. 5

In the order of merit out of the 11 other promotees to the post of Electrician Cat. VI. Due to his credible performance and sound knowledge of his work he was able to reach Cat. VI from Cat. I in a short period of 10 years. He had an excellent service record in the past. On 27-2-85 the D.P.C. held interview trade test of all the eligible workmen of Cat. VI to consider their cases of promotion to the post of Asstt. Foreman/Electrician Grade-C. The concerned workman had appeared in the said test but he was deprived of his claim illegally. The D. P. C. promoted S/Shri Sarju Roy, Anand Napit to the post of Asstt. Foreman who were junior to the concerned workman vide order dated 7/8-5-1985. The workman was in Sl. No. 5 in order of merit among the other promotees vide order dated 9/10-6-81 in which the Sl. No. of Sarju Roy was 6. The name of Anand Napit did not appear in the said list as he was a workman of inferior rank in Cat. V and as such he was not an eligible candidate to be considered for promotion as per company's promotion policy. The concerned workman was senior to Shri Sarju Roy in the seniority list and was superior to Shri Anandi Napit in rank but for dubious integrity of the management the concerned workman was superseded by these two persons who were junior to him. The concerned workman represented his case verbally and in writing several times to the management but no favourable order was passed. He was compelled to approach the union and accordingly the union raised an industrial dispute before the ALC(C), Dhanbad. The management appeared before the ALC(C), in the conciliation proceeding but the conciliation ended in failure and thereafter the present dispute was referred for adjudication to this Tribunal.

The management had meritorious candidate like the concerned workman for selection and promotion to the post of Asstt. Foreman (Electrical). The management was not required to pick up Shri Anand Napit from Cat. V to fill up the vacant post of Grade-C. The management has exercised the power beyond its jurisdiction. Shri Napit performed the work of lower category and his promotion had an adverse effect on the concerned workman. The concerned workman has necessary skill so as to enable him to reach the highest non-executive post in his cadre. The workman has again been superseded by the promotion of Shri Subhash Chandra Prasad who was promoted to the post of Asstt. Foreman, Electrician vide order dated 27/28-1-1986 in utter disregard to the genuine claim of the concerned workman.

The management has the promotion scheme in respect of all the employees working in the Electrical and Mechanical cadre. The D.P.C. cannot challenge the electrical and mechanical certificate of competency awarded to the concerned workman by the Government of Bihar. The concerned workman had again gone to attend the D.P.C. on 7-11-1984 for the second time but the D.P.C. was not held on the said date and as such the concerned workman had to return back. As no interview was held by the D.P.C. for the second time, the question of filling the vacant post of Asstt. Electrical Foreman did not arise. The D.P.C. had adopted the attitude of favouritism in favour of certain workmen of lower grade by giving them double promotion and adopted biased attitude against the concerned workman. Shri Subhash Chandra Pd. was promoted with back date without holding any D.P.C. It has been proved that the concerned workman should be promoted to the post of Asstt. Foreman, Electrical, Grade-C, from May, 1985, when he was superseded by promotion of 2 other workmen junior to him vide order dated 7/8-5-1985 along with consequential benefit.

The case of the management is that promotion is the management's function and no workman has any right to claim promotion. The management has a promotion scheme in respect of all the employees working in Electrical and Mechanical Cadre and the promotion are affected according to the norms laid down in the said scheme. The promotion of Electrician are effected on the basis of Workman's certificate, performance in trade test conducted by the D.P.C. (Departmental promotion committee) and the number of years of experience. The selection are made in order of merit by applying the marks obtained in qualification experience and trade test. The case of all eligible candidates are considered by the D.P.C. After an Electrician.

passes the certificate of competency of Electrical Supervisorship he becomes qualified to work as Electrical Supervisor to carry on duties under the Indian Electricity Rules. An Electrician in Cat. IV, V or VI can be entrusted with the job of Asstt. Foreman, Foreman or Foreman Incharge after he obtained the Electrical Supervisorship certificate. Thus an Electrician of any category is eligible for consideration for promotion to the Supervisory post of Asstt. Foreman in Technical Grade-C after he obtained the Electrical Supervisorship certificate. An Electrician in Cat. VI being senior-most cannot be promoted to the supervisory post without the supervisorship certificate and he has to work under his junior. A D.P.C. was constituted for consideration for promotion of Electricians holding the Electrical Supervisorship certificate to the post of Asstt. Foreman held its sitting on 16-4-1985. There are four Electricians including the concerned workman eligible for consideration for promotion. Out of the four candidates only Shri Sarju Roy was found fit for promotion to the post of Asstt. Foreman Electrical as he had secured 20 marks out of 30 marks in Technical trade test. Other Electrician Shri Anandi Napit secured 15 marks out of 30 marks in the Technical Trade test and had just pass marks. The minimum pass marks in Technical examination is 50 per cent and unless a workman secures more than 50 per cent marks in Technical Trade test he cannot be promoted. Shri Anandi was taken as Asstt. Foreman Trainee for 6 months on the then existing category (Cat. V) and was promoted to the post of Asstt. Foreman after expiry of 6 months. The concerned workman Shri Ram Subhash Tewary and his another co-worker Shri Subhash Ch. Pd. got 8 marks each in technical Trade test and thus failed in the examination. Therefore their case were not recommended for promotion.

Another D.P.C. was constituted after 6 months from the first D.P.C. for taking trade test of two electrician eligible for consideration. The only eligible candidate Shri Subhash Chandra Pd. appeared before the Second D.P.C. and secured more than 50 per cent marks in the trade test and was promoted. The concerned workman did not appear before the second D.P.C. which was held on 29-11-1985 and as such his suitability could not be judged by the D.P.C. The demand of the union for promoting the concerned workman to the post of Asstt. Foreman even when he failed in the examination and test before the D.P.C. on the ground that he is senior to other Electricians who were promoted by the D.P.C. is without any merit and is liable to be rejected. All the persons who had passed the trade test were promoted. If the concerned workman had passed the Technical trade test he would have also been promoted as vacancy existed. The concerned workman was not promoted as he failed in the examination conducted by the D.P.C. the selection before the D.P.C. were made according to the norms and Technical Trade Test. The concerned workman did not appear before the second D.P.C. he felt that he had not good knowledge on the electrical side and he should not be asked to appear before the D.P.C. and he should be promoted automatically according to the seniority. On the above plea it has been submitted on behalf of the management that the concerned workman is not entitled to any relief.

The only point for consideration in this case is whether the concerned workman Shri Ram Subhash Tewary Electrician Cat. VI should be given promotion to the next higher grade of an Asstt. Foreman (Electrical) in Grade-C from the date on which he was superseded by the promotion of workman junior to him.

The workmen examined three witnesses and the management examined one witness in support of their respective cases.

The documents of the workmen have been marked as Ext. W-1 to W-10 and the documents on behalf of the management have been marked Ext. M-1 to M-9. Some of the documents marked are common to both.

On perusal of the case of the workmen in the W.S. it will appear that they are claiming the promotion of the concerned workman to the post of Asstt. Foreman Electrical in Grade-C on the basis of his seniority. It appears no doubt,

that the concerned workman was senior in the list, Ext. W-2, to Sarju Roy in the same list by which they were promoted to the post of Electrical Helper in Cat. II, Ext. W-3 dated 9/10-6-1981 also shows that the concerned workman was senior to Sarju Roy in the list of promotion from Cat. V to Cat. VI. The other two electricians who had appeared before the first D.P.C. were Anand Napit and Shri Subhash Ch. who were admittedly Electricians in Cat V and thus they were junior in grade to the concerned workman.

The case of the management is that the promotion in Supervisory Grade of Asstt. Foreman and Foreman Incharge is made on merit-cum-seniority basis and that the promotion is made from Electrician Cat. IV, V and VI by the D.P.C. after holding trade test, MW-1 Shri D. B. Singh who were Dy. P.M. in Moonidih Project was one of the members of the D.P.C. in respect of promotion from Electricians to Asstt. Foreman. He has stated that the certificate of Electrical Supervisor is necessary before an Electrician can be considered for promotion to the post of Asstt. Foreman (Electrical). There is no denial of the fact that the concerned workman possesses the certificate of Electrical Supervisor. MW-1 has further stated that the post of Asstt. Foreman and Foreman Incharge are all supervisory post who have to act under Electricity Act and Rules. He has stated that the concerned workman along with three others had appeared in the interview before the D.P.C. which was held on 16-4-85 and this fact is admitted by the concerned workman MW-1 also. Ext. M-1 is the recommendation of the D.P.C. which was held on 16-4-1985. It will show that out of 30 marks Sarju Roy obtained 20 marks, Anand Napit obtained 15 marks and subhash Chandra and the concerned workman Ram Subhash Tewary each obtained 8 marks. MW-1 has stated that atleast 50 per cent mark was required to pass the trade test for consideration for promotion to the post of Asstt. Foreman and as such Shri Sarju Roy who had secured more than 50 per cent marks were selected and Anand Napit who had obtained just 50 per cent marks was first taken as trainee and thereafter he was taken as Asstt. Foreman. It will appear from his evidence that as the concerned workman and Shri Subhash Ch. Pd. had secured less than 50 marks were not selected. It is clear therefore that the concerned workman did not secure the minimum marks required for being selected for the post of Asstt. Foreman Electrical. WW-1 in his cross-examination has stated that a person should possess the Electrical Supervisorship certificate for promotion to the post of Asstt. Foreman. He has further stated that any Electrician having obtained Electrical Supervisorship certificate can be called for interview by the D.P.C. for the post of Asstt. Foreman. It is clear therefore from this evidence of the concerned workman that all the four electricians who had appeared before the First D.P.C. were eligible for appearing for being considered for promotion to the post of Asstt. Foreman. Ext. M-1 shows the technical qualification of all the four electricians who had appeared before the D.P.C. All the four had electrical supervisorship certificate and as such all the four electricians of Cat. V and Cat. VI were eligible for being considered for promotion to the post of Asstt. Foreman (Electrical). The concerned workman can have no grievance that Electricians of Cat. V who were juniors to him were, considered by the D.P.C. for the promotion to the post of Asstt. Foreman.

There is nothing to show that the members of the D.P.C. had any prejudice against the concerned workman or that they had any reason not to promote the concerned workman had he secured more than 50 per cent marks in the trade test.

Admittedly, a second D.P.C. was constituted for holding the trade test and examination of the concerned workman and Subhash Chandra Pd for considering their promotion to the post of Asstt. Foreman. Ext. M-4 is the note sheet dt. 30/31-12-85 which shows that at first the second D.P.C. was to be held on 27-11-85 but due to the absence of the Dy. D.E. (O & M) Moonidih Area on 27-11-85 the D.P.C. was conducted on 29-11-85. Admittedly, the concerned workman did not appear before the D.P.C. on 29-11-85. The concerned workman has laid evidence of WW-2 and WW-3 to show that the D.P.C. was not held on 27-11-85 at 5 P.M. which was the date fixed for holding the D.P.C. The said fact is admitted by the management as well and the D.P.C. was not held on 27-11-85 and was adjourned to 29-11-85.



when the concerned workman did not appear before the D.P.C. and Shri Subhash Ch. Pd alone appeared before the D.P.C. and secured more than 50 per cent marks in the trade test that and accordingly he was selected for the post of Asstt. Foreman. The only question appears to be of importance is whether the concerned workman had been informed of the adjourned date of holding the D.P.C. on 29-11-85. WW-1 and his associates WW-2 and WW-3 have all stated that they had gone together as WW-1 was to appear for the trade test that before the D.P.C. They have all stated that the D.P.C. was not held on 27-11-85 and that the concerned workman was told that he will be informed of the date subsequently when the D.P.C. will be held. MW-1 who was one of the member of the D.P.C. has stated that the concerned workman and Subhash Chandra Pd. were both informed verbally and in writing that the D.P.C. would not be held on 27-11-85 and that the same would be held on 29-11-85. In cross-examination MW-1 has stated that the letter fixing the date of D.P.C. on 29-11-85 has not been filed in this case. He has denied that no information was given to the candidate for the interview which was fixed for 29-11-85. He has stated that Subhash Chandra and the concerned workman had both appeared on 27-11-85 at about 4 P.M. for interview and that the concerned workman verbally told him that he would not appear before the D.P.C. because of the pendency of the case before the Tribunal but the concerned workman did not file any written petition to that effect. It will appear from Ex. M-4 that Subhash Ch. Pd. had appeared before the D.P.C. on 29-11-85 and his trade test was taken. It is admitted by WW-1, that Subhash Ch. Pd. had also gone in interview on 27-11-85. The fact that Subhash Chandra Pd. had appeared before the D.P.C. on 29-11-85 shows that he was informed of the date of the adjourned date when the D.P.C. was to be held and I find no reason as to why the concerned workman would not have been informed regarding the said adjourned date. I am of the opinion that the concerned workman also, in the circumstances of the case, must have been informed on 27-11-85 about the adjourned date when the D.P.C. was to be held on 29-11-85.

The concerned workman has made wild allegations against Shri D. B. Singh (MW-1) knowing fully well that he was the member of the D.P.C. who was to depose in the case on behalf of the management. WW-1 has stated that Shri D. B. Singh was the Personnel Officer and a member of the Second D.P.C. who had demanded Rs. 500 from him for giving him promotion and as he did not fulfil the same he was not selected for promotion to the post of Asstt. Foreman. WW-1 has stated that he knows that there is a CBI department where a workman can report regarding the demand of illegal gratification but the concerned workman did not make any report with the CBI against Shri D. B. Singh. He has also stated that he did not make any complaint against Shri D. B. Singh for the demand of money made by him. It is easy to make such allegation but it is really an uphill task to establish the allegation more so, when it is completely bereft of any reality. In my opinion the concerned workman cannot succeed by making such wild allegation having no foundation. The concerned workman did not appear before the second D.P.C. held on 29-11-85 and as such his case could not be considered for promotion to the post of Asstt. Foreman although there was a vacancy for it. According to the cadre rule the concerned workman has to appear before the D.P.C. for consideration of his case for the post of Asstt. Foreman and unless he so appears he cannot get promotion through back door method on the ground of his seniority which alone is not the criteria for promotion to the supervisory grade. The promotion to the supervisory grade is made on the basis of merit-cum-seniority and the merit has to be judged by the D.P.C. and not by this Tribunal.

In the result, I hold that the demand of the Colliery Karamchari Sangh that the management of Moonidih Project of M/s. B.C.C. should give promotion to the concerned workman Shri Ram Subhas Tewari, Electrician Cat. VI to the next higher grade of Asstt. Foreman in Grade-C from May, 1985 the date on which he is said to have been superseded by the promotion of other workmen junior to him by

the D.P.C., is not justified and accordingly the concerned workman is not entitled to any relief.

This is my Award.

20-7-87.

I. N. SINHA, Presiding Officer

[No. L-20012/297/85-D.III(A)]

P. V. SREEDHARAN, Desk Officer

नई दिल्ली, 29 जुलाई, 1987

क. घा. 2153—उत्पत्ति अधिनियम, 1983 (1983 का 31) का धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार सरकार उत्पत्ति संरक्षी कार्यालय, बम्बई में श्रम मंत्रालय के अधीन सचिव श्री ए. वी. एस. सार्मा को 3 अगस्त, 1987 की अवधि तक उत्पत्ति संरक्षी-1 बम्बई के समस्त कार्य करने के लिये प्राधिकृत करती है।

[संक्र. ए-22012/1/86-उत्पत्ति-II]

एस के चौधरी, उप सचिव

New Delhi, the 29th July, 1987

S.O. 2153.—In exercise of the powers conferred by section 5 of the Emigration Act, 1983 (31 of 1983), the Central Government hereby authorises Shri A. V. S. Sarma, Under Secretary, Ministry of Labour to perform all functions of Protector of Emigrants I, Bombay, in the office of the Protector of Emigrants, Bombay, during the period from 3rd August to 27th August, 1987

[No. A-22012/1/86-Emig. II]

S. K. CHOWDHURI, Dy. Secy

नई दिल्ली, 29 जुलाई, 1987

क. घा. 2154—केन्द्रीय सरकार का यह समाधान हो जाने पर कि लोकहित में ऐसा करना प्रयोज्य है कि दिल्ली दुग्ध योजना के अधीन दुग्ध आपूर्ति उद्योग को, जो औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की पहली अनुसूची के मद संख्या-6 के अधीन आता है, उक्त अधिनियम के प्रयोगार्थ लोक उपयोगी सेवा घोषित किया जाए।

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ब) के उप-खण्ड (VI) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार दिल्ली दुग्ध योजना के अधीन दुग्ध आपूर्ति उद्योग को उक्त अधिनियम के प्रयोगार्थ के लिए उक्त माम की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संक्रा. एम-11017/14/81-डी-1(ए)]

नन्द लाल, प्रवर सचिव

New Delhi, the 29th July, 1987

S.O. 2154.—Whereas the Central Government is satisfied that the public interest requires that the industry for the supply of milk under the Delhi Milk Scheme which is covered by Item 6 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares with immediate effect the industry for the supply of milk under the Delhi Milk Scheme to be a public utility service for the purposes of the said Act for a period of six months

[No. S-11017/14/81-D. I(A)]

NAND LAL, Under Secy

नई दिल्ली, 29 जुलाई, 1987

नई दिल्ली, 30 जुलाई, 1987

क्र. मा. 2155.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (1) द्वारा प्रदत्त शक्तिवश का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा प्रथम अगस्त, 1987 को उस मर्याद के अन्तर्गत नियत करती है जिसका उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 8 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध कर्नाटक राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्

क्र.सं.	क्षेत्र/गांव	होबली	तालुक	ज़िला
1	2	3	4	5
1	हसनूर नगर नगरीय सीमा	कासाबा	हसनूर	मैसूर
2	चिक्का हसनूर/दोडा हसनूर	"	"	मैसूर
3	निलबागिलु कावु/कोलकुनिके	"	"	"
4	मूकनाहल्ली	"	"	"
5	हलगेरे	कासाबा हसनूर	हसनूर	"
6	बेलथूर	गावडेगेरे	हसनूर	मैसूर
7	कट्टे मलालावादी	गावडेगेरे	हसनूर	मैसूर
8	मूकनाहल्ली	गावडेगेरे	हसनूर	मैसूर
9	मूकनाहल्ली	गावडेगेरे	हसनूर	मैसूर

[संख्या एस-38013/27/87-एस.एस.-1]

New Delhi, the 29th July, 1987.

S.O. 2155.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st August, 1987 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Karnataka namely :—

Sl. No.	Area/Village	Hobli	Taluk	District
1	2	3	4	5
1.	Hunsur Town Municipal Limits	Kasaba Hunsur	Hunsur	Mysore
2.	Chikka Hunsur/Dodda Hunsur	Kasaba Hunsur	Hunsur	Mysore
3.	Nilabagilu Kavalu Kolkunike	Kasaba Hunsur	Hunsur	Mysore
4.	Mookanahalli	Kasaba Hunsur	Hunsur	Mysore
5.	Halagere	Kasaba Hunsur	Hunsur	Mysore
6.	Belathur	Gavdeger	Hunsur	Mysore
7.	Katte Malalawadi	Gavdeger	Hunsur	Mysore
8.	Mookalahalli	Gavdeger	Hunsur	Mysore
9.	Makanahalli	Gavdeger	Hunsur	Mysore

[No. S-38013/27/87-SS-1]

क्र. मा. 2156.—केन्द्रीय सरकार, को यह प्रतीत होता है कि निम्नलिखित स्थापन से सम्बद्ध निगोशक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध संशोधित स्थापन को लागू किये जाने चाहिये :—

1. मैसर्स आल मेटल इन्डस्ट्रीज 13/1, देवी मन्दिर रोड, शिवपुरा-4
2. मैसर्स जे के इलेक्ट्रिकल इन्डस्ट्रीज 2/1 बी, डाक्टर राजेन्द्र रोड, कलकत्ता-20
3. मैसर्स नवागीत डीजल्स प्राइवेट लिमिटेड, 41/1 मिर्जा गालिब स्ट्रीट, कलकत्ता-16
4. मैसर्स नार्थ ईस्ट कलर फोटोज प्राइवेट लिमिटेड (शॉप नं० 7, 8 और 9) 14 सुदर स्ट्रीट कलकत्ता-16
5. मैसर्स एम ए अजीज एण्ड कम्पनी 5, मौलाना मौहम्मद अली रोड कलकत्ता-23 और इसका वर्ग चौक इन्डिया भिदनपुर स्थित साइट कार्यालय।
6. मैसर्स सोनिया जैन एण्ड कम्पनी लिमिटेड, (कोल्ड स्टोरेज यूनिट नं० 1) पोस्ट आफिस देवीपुर, बईचन ग्रीन्स इसकी 23/24 राधा बाजार, स्ट्रीट कलकत्ता स्थित रजिस्टर्ड कार्यालय।
7. मैसर्स ए बी इन्जिनियरिंग एण्डर प्राइवेट, 23 टी, मानसरोती नोला स्ट्रीट कलकत्ता-14 और इसकी किरानालय साउथ देव बन्धु पारा मिस्लीगुडी स्थित रजिस्टर्ड कार्यालय।
8. मैसर्स कमानी एण्ड सब, 16 मैंगई नैन कलकत्ता-1 और इसकी ब्रांच नं०-1 ट्रांसपोर्ट डिपो रोड, किदारपुर, कलकत्ता-88 स्थित शाखा।
9. मैसर्स चिमकेदला प्राइवेट (प्राइवेट) लिमिटेड, 27 मिर्जा गालिब स्ट्रीट कलकत्ता-16 और इसकी 52 बी गुरुकुल रोड रांची-1 स्थित शाखा।
10. मैसर्स वैस्ट बंगाल का-प्रोपर्टिज लिमिटेड प्रोड्यूसर फेडरेशन लिमिटेड, 7021 सी पी ब्लॉक न्यू इन्दौर कलकत्ता-50 और इसकी कैंटन फ्रीड प्लॉट बख्शामपुर, एम आर टी पोस्ट आफिस कोयम बाजार के सामने राज बख्शामपुर, मुर्शीदाबाद स्थित शाखा।
11. मैसर्स टकनी इलास्टिकस 28 बी टी रोड, कलकत्ता-2

अतः केन्द्रीय सरकार उक्त धारा नियम की धारा 1, की उप धारा 4 द्वारा प्रदत्त शक्तिवश प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध-उक्त स्थापना को लागू करती है।

[संख्या एस-38017(3)/27-एस.एस.-2]

New Delhi, the 30th July, 1987

S.O. 2156.—Whereas it appears to the Central Government that the employers and the majority of employees in relation to the following establishments have agreed that the provisions of the Employee's Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to their respective establishments namely :—

1. M/s. Almetal Industries, 13/1, Debi Mandu Lane, Liluah, Howrah-4.
2. M/s. I. K. Electrical Industries, 21/B, Dr. Rajendra Road, Calcutta-20
3. M/s. Navageet Diesels Private Limited, 41/1, Mirza Ghalib Street, Calcutta-16.
4. M/s. North East Colour Photos Private Limited (Shop No. 7, 8 & 9) 14, Sudder Street, Calcutta-16.



5. M/s. S. A. Aziz and Company, 5, Maulana Md. Ali Road, Calcutta-23 including its site office at Durga, Chowk, Haldia, Midnapore.
6. M/s. Sethia Jaip and Company Limited (Coldstorage Unit No 1) Post Office Debipur Burdwan, including its Registered Office 23/24, Radha Bazar Street, Calcutta-1.
7. M/s. A. B. Engineering Enterprises, 23/D Sankharitola Street, Calcutta-14, including its branch at 'Kirana-laya' South Deshbandhu Pura, Siliguri-4.
8. M/s. Kashani and Son, 16, Mangoe Lane, Calcutta-1 including its branch at N. 9, Transport Depot Road, Kidderpore, Calcutta-88.
9. M/s. Biscay Data Products (Private) Limited 27, Mirza Ghalib Street, Calcutta-16, including its branch at 52-B, Circular Road, Ranchi-1.
10. M/s. Wett Bengal Co-operative Milk Producers Federation Limited, 702/CP, Block, New Alipore, Calcutta-50, including its branch at Cattle Feed Plant, Berhampore, Opp. MIT P. O. Cossimbazar Raj Berhampore, Murshidabad.
11. M/s. Techno Plastics, 28, B. T. Road, Calcutta-2.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the above mentioned establishments.

[No. S-35017 (3)/87-SS. II]

नई दिल्ली, 7 अगस्त, 1987

का. प्र. 2157—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3), द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 15-8-1987 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध कर्नाटक राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्—

जिल्ला चित्रदुर्ग में तालुक  
हरिहर के मधीन होसी  
कसबा के राजस्व ग्राम गंटूर  
पंचायत सीमाओं के अन्तर्गत  
आने वाले क्षेत्र।

[सं. एस-38013/29/87-एस. एस. 1]

ए. के. भट्टारai, धरम सचिव

New Delhi, the 7th August, 1987

S.O. 2157.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 15th August, 1987 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and Section 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Karnataka, namely:—

The areas comprising of the Revenue Village Guntur Panchayat Limits at Hobli Kasaba under Taluk Harihar in District Chitradurga.

[S-38013/29/87-SS II]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 29 जुलाई, 1987

का. प्र. 2158.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार, सिटी बैंक एन. ए.  
712 GI/87—9

के प्रवर्तन से सम्बद्ध विवादों का और उक्त कर्तव्य को धारा 17, अनुसूचन में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार प्राधान्य अधिकार नहीं दिला के पंचाट का प्रकाशित करता है, जो केन्द्रीय सरकार की 10 जुलाई 1987 का प्राप्त हुआ था।

New Delhi, the 29th July, 1987

S.O. 2158.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi in the Annexure in the industrial dispute between the employers in relation to the Citi Bank N.A., and their workmen, which was received by the Central Government on the 10th July, 1987.

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,  
NEW DELHI

I. D. No. 86/81

In the matter of dispute between:

Workmen of Citi Bank N.A. represented by First National City-Bank Staff Association, 3, Parliament Street, New Delhi.

Versus

The Management, Citibank N.A., 9, Parliament Street, New Delhi.

APPEARANCES:

Shri S. K. Bisaria—for the workmen.

Shri J. K. Mehra Adv.—for Management.

AWARD

The Central Government in the Ministry of Labour vide its notification No. L-12012/269/80-D II A dated 10th July, 1981 has referred the following industrial dispute to this Tribunal for adjudication:—

"Whether the action of the management of Citi Bank N.A., New Delhi in posting S/Shri Ravi Kumar Gupta, Ashok Bhasin, Mrs. Sumita Bawa and Mrs. Madhu Sehgal as Stenographers ignoring the claims of other eligible suitable candidates is justified? If not, to what relief are the workmen concerned entitled?"

2. The case of the workmen as set forth in the statement of claim is that the Citi Bank has three different categories of posts namely Typist, Clerk-cum Typist and Stenographers and all the three posts have different eligibility conditions/qualifications but these qualifications are co-related with each other as typing speed efficiency in English and graduate in education are the essential common features in respect of all these posts. In the case of stenographers the additional qualification required is competency in shorthand with speed of 100 W.P.M. The persons working in the category of clerk-cum-typist can compete for the post of stenographer according to recruitment rules if they fulfil the requisite qualifications in shorthand. It was agreed between the Management and the Union that whenever there is vacancy the Management shall notify the vacancy on the staff notice board. However, the Management ignoring the criteria laid down for the post of stenographer and the mandatory condition of displaying the vacancy on the staff notice-board, stealthily appointed four persons namely Ravi Kumar Gupta, Ashok Bhasin, Mrs. Sumita Bawa and Mrs. Madhu Sehgal as stenographers by ignoring and depriving the legal rights of the other eligible and senior candidates. It is alleged that these appointments were made with ulterior motives and mala fide intention by the Management to please their favourites, although neither they were qualified nor experienced in the post of stenographers. This illegal action had deprived the legal rights of the most competent and eligible candidates and hence is wholly illegal and unconstitutional and liable to be quashed.

3. The Management in its written statement raised the preliminary objections that the dispute referred is not an Industrial dispute as it has not been properly espoused by substantial number of the workmen of the New Delhi Establishment of the City Bank and that the claim of the workmen is not based on any existing legal right arising out of any agreement or settlement or award and as such the same is without any basis and does not merit any consideration. On merits it was submitted that there are no different categories of posts in the City Bank as alleged and the posts mentioned by the Union are different functions performed by the clerical staff and any one who performs such functions which carries an allowance is paid such allowance during the period he perform such functions. Typist, clerk-cum-typist and stenographers are all workmen belonging to the clerical category. The Management according to requirements at the time of any particular section can call upon any particular member of its staff provided he or she knows short-hand to perform the duties of a stenographer and anyone performing such duties is paid a special allowance payable to a person performing such duties so long as he or she performs those functions. It was denied that there was any settlement or agreement signed between the parties and it was submitted there is no promotion involved in the present case and the Management has full right and it is the Management prerogative to call upon anyone it considers fit to perform such special allowance bearing duties in the bank. It was also denied that there was any mandatory conditions for displaying on the notice-board etc. as alleged or otherwise. However, the Management displayed on the notice board whenever there is need for recruitment of additional hands and requisition for such candidates in such cases is also sent to the employment exchange but such a requirement is not attracted in the case of Management assigning any work to any member of its existing staff even though performing that work would entitle that person to special allowance. Out of the four persons mentioned in the terms of reference Shri Ravi Kumar Gupta is still performing stenographer duties but Mrs. Sunita Bawa is no longer performing stenographer duties and as such not drawing any special allowance any more. Similarly Mrs. Madhu Sehgal had since left the bank and Ashok Bhasin is also no longer performing the stenographer duties and as such he is not drawing any special allowance. It was further submitted that assigning of certain duties is quite different from appointment of persons. It was further submitted that the Union has not furnished particulars of any person alleged to be aggrieved or who are alleged to have complained to the Union.

4. The Union filed rejoinder in which it was admitted that now Mrs. Sunita Bawa and Ashok Bhasin are not getting special allowance and Mrs. Madhu Sehgal has left the bank. But it was submitted that on the date when the orders were passed by the Management in favour of the said workmen the orders were wholly illegal, unconstitutional and in violation of the recruitment rules and its policies, and the Management is not competent to exercise the policy of pick and choose depriving the legitimate right of workmen to get special allowance of Stenographer.

5. On the basis of the pleadings of the parties the following issues were settled by my predecessor :

1. As in terms of reference.
2. Whether the dispute is an industrial dispute?
3. Whether dispute is properly espoused? If not its effect.

#### 6. Issue No. 2 :

The pleading of the Management in this regard is that the dispute referred is not an industrial dispute in as much as it has not been properly espoused by a substantial number of workmen of the New Delhi Establishment of the Management. This objection of the Management is facile because improper espousal would not make a "dispute" a "No industrial dispute". At the time of arguments it was submitted that there is no question of there being any industrial dispute because there is no promotion involved and it is a case of assigning of different functions in the same category

of workmen even though the function carries a special allowance. In the first instance the Management is debarred from raising this argument because no such plea was taken in the written statement. Moreover, such a dispute relates to the recruitment to the post of Stenographers carrying special allowance and it clearly is covered by the matters mentioned in item No. 7 read with item No. 2 of the third schedule of the I. D. Act, 1947. Hence it is held that the dispute referred is an industrial dispute and this issue is decided against the Management and in favour of the workman.

#### 7. Issue No. 3 :

In the written statement the plea taken is that the dispute has not been properly espoused by a substantial number of workmen of the New Delhi Establishment of the Management. In this regard MW 2 Shri K. L. Malhotra has stated that the workmen, association protested to the Management on the violation of the recruitment policy vide letters dated 17-4-78, 11-7-80 and 4-8-80 and when failed in their efforts, placed the matter for discussion before the duly elected Executive Body of the association and the Executive Body of the association after considering the grievances and representations of the other workmen unanimously decided to take up the issue before the conciliation officer and accordingly the matter was taken before the Conciliation Officer and on failure of the Conciliation proceedings the appropriate authority referred the dispute for adjudication before this Tribunal. There is no rebuttal to the statement of the workman's witness. The Executive Body of the workmen association which is representative of the General Body of the workmen having resolved to raise the industrial dispute, it must be held that the dispute is properly espoused. This issue is also decided against the Management.

#### 8. Issue No. 1 :

The dispute is confined to a very narrow compass i.e. whether assigning work of stenographer and giving stenographer allowance to S/Shri Ravi Kumar Gupta, Ashok Bhasin, Sunita Bawa and Madhu Sehgal ignoring the claim of other suitable eligible candidates is justified. If not, to what relief the workmen concerned are entitled. Thus the terms of reference pre-suppose that there were other eligible and suitable candidates for being assigned the duties of Stenographers and that they were ignored. It was, therefore, incumbent on the Union to prove that there were eligible and suitable candidates whose claims were ignored without any justification while assigning the stenographer functions to the aforementioned four persons. However, the Union has miserably failed to give the name of even a single person whose claim for assigning the functions of Stenographer and consequent payment of Special allowance was ignored. MW 1 Shri K. L. Malhotra who is President of the First National Citi Bank Staff Association, New Delhi and also President of all India Citi Bank Staff Association Federation was asked a straight question on his first appearance as to who eligible persons were ignored and he gave the reply "I cannot give names. It is not possible to give names." On the deferred second appearance also the witness gave the reply "I can not give name of eligible stenographer ignored by them." From these depositions of Shri K. L. Malhotra MW 1 the only inference that can be drawn is that there were no other eligible suitable candidates whose claims had been ignored while posting S/Shri Ravi Kumar Gupta, Ashok Bhasin, Sunita Bawa and Madhu Sehgal as Stenographers. On the other hand the Id. representative for the Management has drawn my attention to para 6 of the Minutes of the meeting of the local union and Management held on 22.3.1973 which has been placed on record by the workmen themselves and is reproduced below :—

#### "6. Post of Stenographer :

Mr. Malhotra stated that the Bank need for stenographers should be met from within the Branch as was committed in the past by the Management. Mr. Bhasin interpreted by saying that Mr. V. K. Rohilla has already been appointed stenographer with effect from March 1972 and N. I. Mendiretta

would be given a chance if he cleared the test administered by the branch. It was decided that the bank would conduct a test depending on which a suitable decision would be taken. Mr. Roncari, however, offered to pay tuition fee to Mr. Mendiretta for taking shorthand lessons."

This excerpt from the minutes of the meeting of 22-3-73 clearly go to show that there was dearth of persons eligible for working as Stenographers and the Management had gone to the extent of bearing expenses of one of the workmen for taking shorthand lessons. Under the circumstances, it is not clear as to what the Union of the workman is claiming for. When there are no other senior eligible suitable candidates for posting as stenographers to the four persons mentioned in terms of reference, the whole dispute becomes a non-issue. It may further be noted that in the rejoinder itself the Union has admitted that now Sumita Bawa and Ashok Bhasin are not getting the Stenographer allowance and that Madhu Sehgal has left the bank. Although at that stage the position was that Mr. Ravi Gupta was getting the stenographer allowance, by the time the evidence of WW 1 Shri R. L. Seth, who was formerly the General Secretary of the Union was recorded, Shri R. K. Gupta had also become a S.S.R.P. and was no more a workman and was not getting Stenographer allowance any more. This further goes to show that it is only an exercise in futility.

9 The question as to whether typist, clerk-cum-typist and stenographer constitute different category of posts or whether there was agreed recruitment policy in respect of these categories of posts or whether the appointment of four persons mentioned in the terms of reference as Stenographer was in violation of any such recruitment policy, are rendered only academic in nature and this Tribunal would not like to enter into any academic discussion of such questions when the workmen have failed to prove that there are any aggrieved persons whose legitimate claims were ignored by the Management. Under the circumstances this reference is answered against the workmen.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

24th June, 1987.

G. S. KALRA, Presiding Officer

[No. L-12012/269/80-D II(A)/D IV(A)]

नई दिल्ली, 6 अगस्त, 1987

का० आ० 2159—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, युनाइटेड इंडिया इन्सुरेंस कं० लि० के प्रवक्ता से सम्बन्ध नियोजको और कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलूर के पंचाट का प्रकाशित करती है, जो केन्द्रीय सरकार को 29 जनवरी 1987 को प्राप्त हुआ था।

New Delhi, the 6th August, 1987

S.O. 2159.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of United India Insurance Co. Ltd., and their workmen which was received by the Central Government on the 29th July, 1987.

# BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT BANGALORE

Dated, the 16th day of July, 1987

PRESENT :

Shri B. N. Lalgè, B.A. (Hon.) Presiding Officer  
Central Reference No. 81,

I Party :

K. Mumund, Joint Secretary,  
GIC Employees Union, No. 2,  
New India Assurance Co. Ltd.,  
Unity Building Annex, Mission Road,  
Bangalore-560027.

Vs.

II Party :

The Regional Manager  
United India Insurance Co.,  
Shankararamayana Buildings  
25, M.G. Road,  
Bangalore-560001.

APPEARANCES :

For the I Party—Party.

For the II Party

AWARD

The Government of India by its Order No. L-17012/17/86-D IV (A) dated 15th April 1987 made the present reference on the following points of disputes.

## POINTS OF DISPUTE

"Whether the action of the management of United India Insurance Co., is justified in terminating the services of Shri K. Mumunda, Assistant Bidar Branch w.e.f. 10-12-1985. If not, to what relief is the workman entitled?"

2. Before the matter came up for hearing, a letter is received from the first party workman that he may be permitted to withdraw his case. The prayer has been allowed and the reference is closed for the reason that it had been withdrawn.

B. N. LALGÈ, Presiding Officer

[No. L-17012/17/86-D.IV (A)]

का० आ० 1160—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, कर्णाटक बैंक लि० के प्रवक्ता से सम्बन्ध नियोजको और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलूर के पंचाट को प्रकाशित करती है।

S.O. 2160.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the Karnataka Bank Limited, Mangalore and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL AT BANGALORE

Dated the 2nd day of July, 1987

## PRESENT :

Shri B. N. Lidge, B.A. (Hons.) LL.B.,—Presiding Officer  
Central Reference No. 5/84 (New No. CR 15/87)

## I PARTY :

The General Secretary, Karnataka Bank  
Employees Association, Dongerkery,  
Mangalore.

Vs.

## II PARTY :

The Chairman, Karnataka Bank  
H.O. Mangalore,  
Mangalore.

## APPEARANCES :

For the I Party—Shri K. R. Patturayya, Advocate,  
Mangalore.

For the II Party—Shri K. S. Bhat, Advocate, Mangalore.

## AWARD

The Government of India by its Order No. L-12012/41/83-  
D II (A) dated 6-2-1984 made the present reference on the  
following points of dispute :

## POINTS OF DISPUTE

“Whether the action of the management of Karnataka Bank Limited, Mangalore in relation to their Ernakulam Branch in terminating the services of Smt. K. N. Vidhyavathi, Clerk with effect from 12-7-1982 is justified? If not, to what relief is the workman concerned entitled?”

2. Thereupon the I Party has filed the claim statement and it reads as follows :

“Smt. K. N. Vidhyavathi joined the II Party Bank as a Clerk on 18-10-72 and she was working at the Ernakulam Branch when her services were terminated on 12-7-1982. She had to go on leave from 27-10-1980 and she applied for extension from time to time and leave was granted till 20-4-1982. On 24-9-1981, the II Party had issued a notice to her that her absence from 1-7-1981 was a misconduct and called for disciplinary action. She had given her explanation but on 5-6-1982 another memo was issued to her and reference was made to memo dated 24-9-1981 which called for disciplinary action. She had given her explanation and had requested to give her time till 10-8-1982. She had sent her letter on 12-6-1984. The charges were framed against her and there was no enquiry. When the management had come to the conclusion that her absence amounted to misconduct calling for disciplinary action, it was its duty to issue a charge sheet and hold an enquiry. The action of the management is arbitrary and illegal and against the principles of natural justice. The persons given for termination are not genuine and bonafide. They are given to lend colour to their case. Their action amounts to retrenchment under Section 25-F of the Industrial Disputes Act and the management has not complied with the provisions of the said Section. The retrenchment is not valid, if an enquiry had been held she could have rebutted the alleged grounds shown for the termination of her services. The action of the management is illegal, mala fide, prejudiced and out of proportion. It may be set aside and the II Party may be directed to reinstate the employee and to pay the back wages and costs.

3. The II Party Management has filed its objections and its contention are as follows :

“The employee Smt. K. N. Vidhyavathi had joined as a Clerk on 18-10-1972 at K. R. Circle Branch. At her request she was transferred to Ashoknagar

Branch and then to Market Branch Bangalore, and then she was transferred to Ernakulam by an order dated 20-5-1980 at her own request. She had again requested to transfer her to Trivendram by her letter dated 21-11-80, but for administrative reasons it was not considered. She continuously remained absent from 27-10-1980 to 12-7-1982. She exhausted all kinds of leave. From 24-12-1980 she was absent on loss of pay. However extraordinary leave was sanctioned upto 30-6-1981. In spite of several letters, she did not report for duty and remained absent on the ground of ill health. She was requested to appear before the General Manager, but she failed to do so. Later she requested for leave upto 31-3-1982 on loss of pay on the ground of ill health and promised to join on that day or that she would submit her resignation. She did not do either of them on 31-3-1982. The management waited for some more months so that she may improve her health and join for duty. There was no sign of her health being improved. Then a memo dated 5-6-82 was issued stating that in view of her prolonged ill health it may not be possible to retain her in service and one more opportunity was given to join on or before 15-6-1982, failing which her service would be terminated as per clause 522(1) of the Shastri Award. But she did not report. Finally her services were terminated by an order dated 12-9-1982 and a draft for Rs. 3,631.38 being the salary of 3 months in lieu of notice was sent to her. The termination of services is neither by way of punishment nor by retrenchment, it is a bonafide order. The reference may be rejected.”

4. Rejoinder has been filed for the I Party and the contentions raised in the claim statement have been reiterated. It has been further stated that her absence was bonafide and because of unavoidable circumstances.

5. In addition to the point of reference, this Tribunal has framed one more issue and it reads as follows :—

## ADDITIONAL ISSUES

Whether the I Party proves that the termination amounts punishment or retrenchment as contended by the I Party workman in para 5 of their claim statement?

For the I Party WW-1, Smt. K. Vidhyavathi has been examined and Ext. W-1 to W-14 have been got marked.

6. For the II Party Ext. M-1 to M-17 have been got marked. The parties have been heard. My findings on the additional issue and on the point of reference are as follows :

Additional Issue No. 1—The I Party does not prove that it is a case of termination by way of punishment or it is a case of retrenchment.

Point of Reference—The action of the management is justified. The workman is not entitled to any relief.

## REASONS

1. Additional Issue, and

2. Point of reference.

7. The main contention of the I Party is that the management had concluded that the workman is guilty of misconduct and that it called for disciplinary action, but the termination of services is now purported to be under para 522(1) of the Shastri Award, which can not be pressed into services in cases not involving disciplinary action for misconduct and therefore it is bad. There is no dispute on the point that from 27-10-80 the employee Smt. Vidhyavathi did not report to duty. Ext. M-1 dated: 20-5-1980 shows that it was a transfer to Ernakulam on her own request. Even before she made a request for transferring her to Trivendrum where her husband had been transferred, she had proceeded on leave in October 1980, Ext. M-2 dt. 21-11-1980 is the letter written by her for transfer her to Trivendrum. No where in her claim statement she has pleaded any specific ground for her absence. Except for her ill health. In her evidence also WW-1 Smt. Vidhyavathi swears that due to climatic conditions she had to suffer several complaints such

as boils and others which are common to woman folk. In para 4 of her evidence she however swears that due to her health conditions and other reasons she had applied for leave from time to time. The management had granted her leave. She however further adds, though the management had permitted her to report to duty on 20-4-1982, she could not do so on account of her ill health and other domestic problems. She continued to say that she was undergoing ill health continuously and she was willing to rejoin to her duties at Ernakulam. She has not explained as to what were the other reasons or domestic problem besides her ill health, which made her to remain absent. There is not a single letter from her to the management disclosing such other reasons or domestic problems which compelled her to remain absent. Except for her verbal statement she had not produced any other evidence to establish that she was not continuously ill. Ext. M-3 dt. 1-12-1980 is a letter by her for leave upto 31-12-1980. She had pleaded therein that she has been advised to take treatment and in support of her ill health, she has produced a Medical Certificate, Ext. M-4, dt. 1-12-1980 is a Medical Certificate showing that for menstrual disorder. She was under treatment from 30-10-80 and she was advised to take rest. Ext. M-5 dt. 29-1-81 is another leave application for leave from 31-12-1980 for two months. It is enclosed by a Medical Certificate Ext. M-6, and therein she had been advised for treatment for 2 more months. The ground shown in Ext. M-5 is also ill health. Ext. M-7 dt. 30-6-1981 is another leave application supported by three Medical Certificates, Ext. M-8 dt. 1-3-81, show that she was suffering from acute Labring in this and she was advised absolute rest for 8 weeks. Ext. M-9 dt. 19-5-1981 shows that she was suffering from Hepatipin and she was advised for treatment and rest 1-5-1981 to 31-5-1981. Ext. M-10 is another certificate, showing that she required treatment from 1-6-1981 to 30-6-1981 and she was fit to join her duties from 1-7-1981 onwards. Ext. W-1 dt. 28-7-81 shows that her absence had caused dislocation of work and as a very special case and her absence of 122 days from 1-3-1981 to 30-6-1981 was treated as extraordinary leave. Though she was found fit to join on 1-7-1981 as per Ext. M-10 she did not join, but again applied for leave as per Ext. M-11 dt. 3-10-1981. Ext. M-11 states that she had enclosed 3 Medical Certificates for the period from 1-7-1981 to 30-9-1981. Ext. M-12 dt. 1-7-81, Ext. M-13 dt. Nil, show that she was under treatment and advised rest from 1-7-81 for 8 weeks from 1-8-81. The letter Ext. M-11 was itself in reply to the management, letter issued as per Ext. W-2 dt. 24-9-81. The record discloses that instead of joining to duties on 1-7-81 she simply remained absent and the management after waiting for two months and 24 days issued memo on 24-9-81 as per Ext. W-2. Indeed Ext. W-2 calls upon her to note that her conduct in remaining absent unauthorisedly amounted to misconduct. Warranting disciplinary action and she was called upon to explain as to why disciplinary action should not be taken. Thereafter she has submitted the application Ext. M-11 dt. 3-10-1981 with two Medical Certificates, Ext. M-12 and M-13 as narrated earlier. Ext. M-14 is the explanation given by her for her absence and therein she states that she had sent her leave letter with Medical Certificates. She has made a further request that she had moved to Trivendrum, where her husband had transferred, but she was not keeping good health since some months and reiterated her request to transfer to Trivandrum. Ext. M-16 dt. 26-11-81 sent by the General Manager of the II Party shows that the employee was advised to call on the General Manager at the Head Office on 3-12-1981. The employee has sent a letter dt. 12-12-1981 as per Ext. M-15 in response to Ext. M-16. She admits the receipt of Ext. M-16, but pleads that on account of her indifferent health she could not call on the General Manager. She had made a further request to sanction leave upto 31-3-1982 in the maximum. She further states that if she does not join or she is not transferred she will submit her resignation despite her promise to join on 1-4-1982 or otherwise to resign. The employee kept quiet compelling the management to issue another memo on 8-4-1982 as per Ext. W-3. Ext. W-3 dt. 8-4-82 is the letter of the management refer to Ext. M-15. It states that she was given one more chance to join her duty on or before 20-4-82, failing which the matter would be viewed seriously. Ext. M-17 dated 5-6-82 is a letter by the employee in reply to memo Ext W-3. In Ext. M-17 she states that she was not feeling well and she wanted time till 10-8-82

to join at Ernakulam. She promised she will follow her medical certificate, to the Ernakulam Branch. Ext. W-4 dated 5-6-82 is a memo issued by the General Manager and the management has made it very clear by that letter that though she has promised to join on 1-4-1982, she did not do so and it shows that probably she had not recovered from her ill health and that if she fails to report on or before 15-6-1982, the management will have no alternative than to terminate her services as per para-522(1) of Shastri award. The said para of Shastri award has been reproduced in Ext. W-4. The correspondence thus shows that after she produced two certificates as per Ext. M-12 and M-13 alongwith her letter Ext. M-11. The management did not entertain any idea of taking disciplinary action against her on the ground that her absence amounted to misconduct. Ext. W-3 dt. 8-4-82 reflects that the management took into account her assurance to join duty on 31-3-1982, but since that date had passed off, she was permitted to join on or before 20-4-1982. Though the memo states that if she did not join the matter would be viewed seriously. It does not mean that the management was still contemplating disciplinary action against her. The memo dt. 5-6-1982 Ext. W-4 indicates that even though the management had permitted to join on or before 20-4-1982 it had still then waited upto 5-6-1982. Since there was response from the employee it was constrained to issue a memo as per Ext. W-4. Ext. W-8 is the same as Ext. M-17, Ext. W-9 dated 15-6-1982 is a letter by the employee and therein she has contended that her telegram dated 10-5-82 and letter dated 5-6-82 may be taken into account. She has specially admitted if after having received the memo dated 5-6-1982, Ext. W-4 the management has taken objection for the production of the photostat copies of true copies of Medical certificates marked as Ext. W-10 and W-11. I find that photo copies of copies cannot be admitted in evidence, though they are marked. They are of no consequence. Even otherwise they are relied upon by the workmen to show that still she was under medical treatment, till 7-2-82. It is on the ground of continued ill health on the part of the workman that the management intend to terminate her service as is obvious from the counter statement. The letter of the employee Ext. W-9 acknowledging the receipt of Ext. W-4 establish for the management that it was found reasonable to put the employee on guard. That it no longer intends to take disciplinary action but intends to resort to termination, simpliciter under Clause 522(1) of Shastri award. Nothing prevented the employee from joining to duties on or before 15-6-1982 and work. Even for a single day if her absence was not on the ground of continuous ill health. I am therefore of the view that it is not a case of termination of service on arbitrary grounds or in violation of principles of natural justice or in exercise of power in an unbecoming manner. For the I party no justification has been pointed out that the management was under an obligation to wait till 10-8-82, merely because she had made a request that she may be permitted to join at Ernakulam on 10-8-82. The management had no obligation to wait as per her letter Ext. W-9 dated 15-6-1982, which makes special reference about the receipt of Ext. W-4 by her. Ext. W-5 dated 12-7-82 in another memo it is under this memo that her services were terminated on the ground of her continued ill health. Ext. W-5 was enclosed with a demand draft of Rs. 3,631-38P. being the pay and allowances in lieu of 3 months notice. Ext. W-6 dated 26-7-82 is a letter and therein she states as follows:

"..... This has upset me much especially since I have almost completely recovered from my prolonged sickness and I assured you that I would possibly report for duty on or before 10-8-82".

Ext. W-6 thus points out an admission that she had prolonged sickness and it is the very ground on which the management has terminated her services. Ext. W-7 dated 31-7-82 is a reply by the management to the letter Ext. W-6. She had been informed that the management is not inclined to review its order. The evidence of the employee in para-4, the documents at Exts. W-12, W-13 and W-14 relate to espousal and conciliation proceedings. There is the dispute on that point. The mere fact that she has not accepted the draft nor encashed the same does not show that the action of the management contravene clause 522(1) of Shastri Award.

The learned counsel for the I party contended that even otherwise termination of the services of the employee amounts to retrenchment and since the provisions of Section 25 F have not been followed the termination is invalid. He referred the case of 1976 I LLJ S.C. in State Bank of India vs. Sudheramoney P. 478. The authority states that the termination of services of an employee for reasons what so ever amounts to retrenchment and that it is not the form of the order, but the substance which is decisive. In the reported case on facts it has been held that the termination amounts to retrenchment. The learned counsel for the II Party contended that the facts of present case differ that it is a case of termination for continuous illness and that the definition of the word retrenchment does not include termination on the ground of continuous ill health as per Sec. 2(oo) (c) of the Industrial Disputes Act. The evidence on record discloses that before the management issued a memo dt. 8-3-1982, as per Ext. W-3 it had already arrived at a conclusion that she should be permitted to join her duties on or before 24-4-1982 and if she did not join her duties on or before 20-4-1982 they will take up necessary action. What was the intended necessary action was made clear by the management by the memo. dt. 5-6-1982, Ext. W-4. The employee had by her own volition ignored Ext. W-4 and has not care to take any step or report to duty till her services were terminated after about 1 month and 6 days as per Ext. W-5, Dt. 12-7-1982. I am therefore of the view that it is not the case of retrenchment, but termination of services on account of continuous ill health.

9. The learned counsel for the I Party placed reliance on the authority of Gujarat Steels Tubes Ltd., vs. Gujarat Steel Tubes Mazdoor Saba 1980 Lab. O.C.P. 1004. The authority is on the point that the Court should find out whether the termination of services by discharge simpliciter is by way of punishment. In my opinion, the termination of service can neither be said to be mala fide nor in colourable exercise of powers by the management. The memo dt. 5-6-1984 Ext. W-4 points out to the fact that the management had made it very clear that it was going to take action under clause 522(1) of Shastri award and it intended to terminate her services on the ground of her continued ill health. The fact that the management intend not to retrench her but intended to terminate her services on the ground of ill health has been sufficiently implied in the memo Ext. W-4. The employee has not availed of the opportunity given to her either by joining or by pleading that her absence was not on account of continued ill health. By her various letters enclosed with medical certificates and her over declaration, she intentionally caused and made the management to believe that she was continuously suffering from ill health and further made the management to grant leave to a considerable length of time believing that she was really suffering from ill health and now when her services have been terminated on the same ground on making her alert that the management intended to have resort to take such an action, she cannot plead that her absence was not on the ground of continuous ill health. Verily Section 115 of the Indian Evidence Act steps in and estops her from doing so. In view of the memo Ext. W-4, the action of the management cannot be challenged as punitive. Since it has been held on facts that the action is punitive the authority does not help her.

10. The learned counsel for the I Party then cited the case of M. N. Kumar vs. May and Baker (P) Ltd., (1986 Lab. I. C.P. 1005). The authority is on the point that Section 11-A of the Industrial Disputes Act gives additional power to the Tribunal and it has to deal with the situation. The authority was also relied upon to show that the case involves not termination simpliciter, but to hide the fact that the discharge was by way of punishment, it has been already held that it is not a case of punishment and the management has not resorted to colourable exercise of powers.

11. In reply to the contention of the I Party, that the punishment is disproportionate to the alleged act of misconduct, and that the aforesaid authority should be relied upon to set aside the order of termination, The learned counsel

for the management has referred to the case of M/s. Markar (Motors) Ltd., vs. State of Karnataka and other (1986 Lab. I. C. 1213). The facts of the reported case are similar and that the provision of Section 11-A can not be invoked, because it cannot be said that the termination of services was not justified. Whether the facts and circumstance of the case are such that she deserved some more indulgence at the hands of the management especially when she was ready and prepared to join the services by 14th of August, 1982 is a question which is not relevant to the points of dispute in view of the case 1986 Lab I.C. 1213.

11A. The learned counsel for the I Party contended that clause 522(1) of the Shastri award is not binding on the I Party. It was further contended that such a provision is void under Section 23 of the Contract Act. He cited the case of Central Inland Water Transport Corporation vs. Brigonath Gangooli (1986 Lab. I.C.P. 1312). The facts of the reported case disclose that the Rules of the Corporation empowered to terminate the services of permanent workmen without giving any reason and by giving a notice and under such circumstances, it has been held that the Rule is void. Clause 522(1) of Shastri Award, in my opinion cannot be challenged in the context of the facts of present case and the principles laid down in the authority are not attracted. It had not been shown that the award is a result of any contract between the parties or a unilateral Act on the part of the management.

12. The learned counsel for the I Party then brought to my notice the case of Bishwajit Deo Rai vs. Indian Overseas Bank (1986 I LLJ P. 288). The authority is on the point that even in cases where the employee has no defence at all, still then opportunity of being heard, should be given and failure to give such opportunity would violate the principles of natural justice. On facts at hand, it has been held that Ext. W-4 dated 5th June, 1982 gave her ample opportunity to join to her services if she was not continuously ill and in my view it is not a case where the management was bound to issue a charge sheet and hold an enquiry and then dismiss her. The management has proceeded to accept her own case of continued ill health and cautioned her that it was going to press into service her own ground on which she had remained absent continuously for such a long period.

13. I do not find that there should be any order regarding costs.

14. In the result an award is passed to the effect that the management was justified in terminating her services and that she is not entitled to any relief.

(Dictated to the Stenographer, transcribed and typed by him and corrected by me)

B. N. LALGE, Presiding Officer

[No. L-12012/41/83-D.IV(A)]

K. J. DYVA PRASAD, Desk Officer

नई दिल्ली, 31 जुलाई, 1987

का आ 2161 :—मूलतः मजदूरी अधिनियम, 1948 (1948 का 11) की धारा 26 की उपधारा (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार, बम्बई पतन न्यास के अधीन काम कर रहे एम्प्लॉयर्स कर्मचारियों के कार्य घंटों, विश्राम दिवस और सम्बोधन के बारे में लागू विशेष विनियमों के संबंध में, यह निर्देश देती है कि उक्त अधिनियम की धारा 13 और 14 के उपबंध द्वारा, अधिसूचना के सरकारी राजपत्र में प्रकाशन की तारीख से तीन वर्षों की अवधि के लिए, उक्त कर्मचारियों पर निम्नलिखित शर्तों के अधीन लागू नहीं होंगे :—

(i) बम्बई पतन न्यास उक्त विनियमों को अंग्रेजी भाषा में और ऐसी भाषा या भाषाओं में, जिसे अधिकतम कर्मचारियों समझते हों, पुस्तिका रूप (पैम्फलेट फॉर्म) में प्रकाशित करेगा।

(ii) उपर्युक्त विनियमों में कोई संशोधन करने से पहले, बम्बई पतन न्यास उपरोक्त पतन न्यास के कार्यालय में नोटिस बोर्ड

पर सूचना द्वारा संबंधित कर्मचारियों को प्रस्तावित संशोधनों के बारे में सूचित करेगा और उन प्रावधियों या सुझावों पर विचार करेगा जो ऐसी सूचना के प्रकाश दिनों के अन्दर किए जाएंगे।

- (iii) खण्ड (i) से निदिष्ट पुस्तिका का एक प्रति और उसमें किए गए प्रत्येक संशोधन का एक प्रति प्रत्येक संबंधित कर्मचारी का प्रदान की जाएगी।

[संख्या एल-32014/1/86-डब्ल्यू सी (एम डब्ल्यू)]

ए. के. लुथरा, उपसचिव

New Delhi, the 31st July, 1987

S.O. 2161.—In exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government, having regard to the special regulations in force in respect of the duty hours, rest day and overtime of the Flotilla workers working under the Bombay Port Trust, hereby directs that provisions of sections 13 and 14 of the said Act shall not apply to the said employees for a period of three years commencing from the date of publication of this notification in the Official Gazette, subject to the following conditions, namely:—

- (i) the Bombay Port Trust shall publish the said regulations in a pamphlet form in the English language and in the language or languages understood the majority of the employees;
- (ii) before making any amendment to the aforesaid regulations, the Bombay Port Trust shall inform the employers concerned by notice, to be put up on the notice board, at the office of the aforesaid Port Trust, of the proposed amendments and shall consider any objections or suggestions that may be made thereto within twenty-one days of such notice; and
- (iii) a copy of the pamphlet referred to in clause (i) and a copy of every amendment thereto shall be supplied to each employee concerned.

[No. S-32014/1/86-WC (MFW)  
A. K. LUTHRA, Dy. Secy.]

नई दिल्ली, 31 जुलाई, 1987

कां० प्रा० 2162:—बीड़ी कर्मचार कल्याण निधि नियम, 1978 के नियम 3 के उप नियम (2) और नियम 4 के उपनियम (1) (क) के साथ पठित बीड़ी कर्मचार कल्याण निधि अधिनियम, 1976 (1976 का 62) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उत्तर प्रदेश राज्य के लिए बीड़ी कर्मचार कल्याण निधि सलाहकार समिति में निम्नलिखित व्यक्तियों को सदस्यों के रूप में नियुक्त करती है, अर्थात्:—

1. श्री बृषपाल सिंह,  
सदस्य, विधान सभा,  
उत्तर प्रदेश,  
#10, शिवपुरी, लखनऊ।
2. श्री राम कृष्ण भार्गव,  
नाकोर बीड़ी, गुरुसहायगंज,  
फर्रुखाबाद।
3. श्री हाजी मजहदीन,  
बुलबुल बीड़ी कम्पनी,  
गुरुसहायगंज, फर्रुखाबाद।
4. श्री इकबाल हुसैन,  
प्रेजिडेंट,  
बीड़ी उद्योग कर्मचारी यूनियन,  
73, बकसी बाजार, इलाहाबाद।

#### 5. एन. अनवर आमील

28, खानीगंज, कासरबाग,  
लखनऊ।

#### 6. कुमारी ए० शर्मा,

जनरल सेक्रेटरी,  
उत्तर प्रदेश कांग्रेस कमेटी (बाई),  
6-वी, दारुलसादत,  
लखनऊ।

और भारत के राजपत्र, भाग II, खण्ड 3, उप खण्ड (ii) में दिनांक 20 मार्च, 1982 को प्रकाशित, भारत सरकार, श्रम मंत्रालय की दिनांक 6 मार्च, 1982 की अधिसूचना संख्या कां० प्रा० 1209 में संशोधन करती है;

उक्त अधिसूचना में, क्रमांक (4) से (9) तथा उनसे संबंधित प्रतिष्ठियों के स्थान, पर, निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात्:—

"4. श्री बृषपाल सिंह,  
सदस्य, विधान सभा,  
उत्तर प्रदेश

सदस्य

5. श्री राम कृष्ण भार्गव,  
नाकोर बीड़ी  
गुरुसहायगंज,  
फर्रुखाबाद

सदस्य

6. श्री हाजी मजहदीन,  
बुलबुल बीड़ी कम्पनी  
गुरुसहायगंज,  
फर्रुखाबाद

नियोजक के प्रतिनिधि

7. एम० अनवर आमील,  
28, खानीगंज,  
कासरबाग, लखनऊ

8. श्री इकबाल हुसैन,  
प्रेजिडेंट,  
बीड़ी उद्योग कर्मचारी यूनियन,  
73, बकसी बाजार,  
इलाहाबाद।

कर्मचारियों के  
प्रतिनिधि

9. एम० अनवर आमील,  
28 खानीगंज,  
कासरबाग, लखनऊ

कर्मचारियों के  
प्रतिनिधि

10. कुमारी ए० शर्मा,  
जनरल सेक्रेटरी,  
उत्तर प्रदेश कांग्रेस कमेटी (बाई)  
6-वी, दारुलसादत,  
लखनऊ

महिला प्रतिनिधि

2. कल्याण आयुक्त इलाहाबाद के कार्यालय का कल्याण प्रशासक इस सलाहकार समिति का सदस्य होगा और समिति का मुख्यालय इलाहाबाद में होगा।"

[संख्या यू०-19012/22/84-डब्ल्यू०-II]

New Delhi, the 31st July, 1987

S.O. 2162.—In exercise of the power conferred by section 5 of the Beedi Workers Welfare Fund Act, 1976 (62 of 1976), read with sub-rule (2) of rule 3 and sub rule (1) (a) of rule 4 of the Beedi Workers Welfare Fund Rules, 1976, the Central Government hereby appoints the following persons as members of the Advisory Committee of the Beedi

Workers Welfare Fund for the State of Uttar Pradesh, namely :—

1. Shri Budhpal Singh,  
Member, Legislative Assembly,  
Uttar Pradesh,  
10, Shivpuri, Khurja.
2. Shri Ram Krishan Aryya,  
Chokkor Beedi, Gurshaiganj,  
Farrukhabad.
3. Shri Hazzi Majruddin,  
Bulbul Bidi Co.,  
Gurshaiganj, Farrukhabad.
4. Shri Iqbal Hussain,  
President,  
Beedi Udyog Karamchhari Union,  
73, Baxi Bazar, Allahabad.
5. Shri Anwar Amil,  
28, Khaliganj,  
Kasrabad, Lucknow.
6. Km. A. Sharma,  
General Secretary,  
Uttar Pradesh Congress Committee (I)  
6-B Darrulsapha, Lucknow.

and hereby amends the notification of the Government of India in the Ministry of Labour No. SO. 1209, dated the 6th March, 1982, published in the Gazette of India, Part II, Section 3, Sub-Section (ii), dated the 20th March, 1982 ;

In the said notification, for serial Nos. (4) to (9) and the entries relating thereto the following shall be substituted, namely :—

- |   |  |
|---|--|
| “4. Shri Budhpal Singh<br>Member<br>Legislative Assembly,<br>Uttar Pradesh.   | Member                                 |
| 5. Shri Ram Krishan Aryya<br>Chokkor Bidi, Gurshaiganj,<br>Farrukhabad  | Member<br>Employers' representatives   |
| 6. Shri Hazi Majruddin,<br>Bulbul Bidi Co.,<br>Gurshaiganj, Farrukhabad,  | Member<br>Employer's representative    |
| 7. S. Anwar Amil,<br>28, Khaliganj<br>Kasrabad Lucknow  | } Member<br>Employers' representatives |
| 8. Shri Iqbal Hussain<br>President, Beedi Udyog<br>Karamchhari Union,<br>73, Baxi Bazar, Allahabad                  |  |
| 9. Km. A. Sharma,<br>General Secretary,<br>Uttar Pradesh Congress<br>Committee (I), 6-B,<br>Darrulsapha,<br>Lucknow | Woman representative.                  |

2. The Welfare Administrator, Office of the Welfare Commissioner, Allahabad, shall be the Secretary of the Advisory Committee and the headquarters of the Committee shall be at Allahabad.”

[No. U-19012/22/84-W. II (C)]

का. प्रा. 2163.—अन्नक खान अन्निक कल्याण निधि अधिनियम, 1946 (1946 का 22) की धारा 3 की उपधारा (4) के अनुसरण में, केन्द्रीय सरकार, 31-3-1986 को समाप्त होने वाले वर्ष के दौरान अन्नक खान अन्निक कल्याण निधि से व्ययित कियाकलापों की निम्नलिखित रिपोर्ट, जिसमें वर्ष 1986-87 के लिए उक्त निधि को प्राप्ति तथा व्यय के अनुमान तथा वर्ष के लेखों का विवरण भी है, प्रकाशित करती है :—

#### 1. सामान्य

अन्नक खान अन्निक कल्याण निधि का गठन अन्नक खान अन्निक कल्याण निधि अधिनियम, 1946 (1946 का 22) के अधीन किया गया है ताकि अन्नक खान उद्योग में नियोजित अन्निकों के कल्याण में संबंधित योजनाओं के लिए धन की व्यवस्था की जा सके।

2. अधिनियम में व्यवस्था है कि निर्धारित किए जाने वाले सभी अन्नक पर अधिक से अधिक 6-1/4 प्रतिशत मूलानुसार की दर से सीमाशुल्क लगाया जाए जैसा कि समय-समय पर केन्द्रीय सरकार सरकारी राजपत्र में निर्धारित करे। तथापि, 15 जुलाई, 1974 से उपकर की दर बढ़ाकर 3-1/2 प्रतिशत कर दी गई थी जब कि यह पहले 2-1/2 प्रतिशत मूलानुसार थी।

#### 2. चिकित्सा

अन्नक खान अन्निक कल्याण संगठन अन्नक अन्निकों तथा उनके परिवारों की विभिन्न प्रकार की चिकित्सीय सुविधाएं निःशुल्क प्रदान करता है। इनमें अस्पतालों, प्रसूति व बाल कल्याण केन्द्रों का रख-रखाव क्षय रोग के इलाज की सुविधा जिसमें आवासीय इलाज, औषधालय सेवा, प्रायुर्वेदिक औषधालय शामिल हैं, की व्यवस्था तथा अन्य सुविधाएं हैं। रिपोर्टाधीन अवधि के दौरान, अन्नक अन्निकों तथा उनके परिवारों के इलाज के लिए कल्याण संगठन ने निम्नलिखित केन्द्रीय तथा क्षेत्रीय अस्पतालों का रख-रखाव जारी रखा :—

क्र. अस्पताल का नाम	पसलों की संख्या
1. केन्द्रीय अस्पताल, कालीचेरू (मध्य प्रदेश)	30
2. क्षेत्रीय अस्पताल लालपुर (मध्य प्रदेश)	10
3. क्षेत्रीय अस्पताल, सेबापुरम (मध्य प्रदेश)	10
4. क्षेत्रीय अस्पताल, कर्मा (बिहार)	100
5. क्षेत्रीय अस्पताल, निसरी (बिहार)	10
6. क्षय रोग अस्पताल, कर्मा (बिहार)	50
7. केन्द्रीय अस्पताल, गंगापुर (राजस्थान)	30

इसके अतिरिक्त, अन्नक का उत्पादन करने वाले तीन राज्यों में निम्नलिखित चिकित्सा क्लीनिक/औषधालय/एकक भी कार्य करते हैं :—

संस्थान	मध्य प्रदेश	बिहार	राजस्थान	कुल
एलोपैथिक औषधालय	--	5	3	8
प्रायुर्वेदिक औषधालय	2	8	4	14
सूति व बाल कल्याण केन्द्र	--	--	3	3
बसते फिरोज चिकित्सा एकक	1	2	2	5
सधु समुदाय केन्द्र	--	3	--	3

कल्याण संगठन क्षय रोग से पीड़ित अन्निकों के इलाज के लिए पर्याप्त सुविधाओं की व्यवस्था करने का प्रयास करता रहा है। क्षय रोग अस्पताल और क्लीनिक स्थापित करने के अतिरिक्त, क्षय रोग और निर्विकारिय में पीड़ित मध्य प्रदेश के अन्नक अन्निकों के विशेष इलाज के देखरेख में चार पसलें प्रारंभित किए गए। इसके अतिरिक्त, इन प्रयोजनार्थ केन्द्रीय अस्पताल, गंगापुर में 10 पसलों वाला एक अलग बाई है।



**विविध चिकित्सा सुविधाएं:**

भारत दुर्घटना और लाभ योजना के अंतर्गत, निधि के तहत खनिकों की पत्नी को एक मूल्य 250 रुपये (अथ 500 रुपये कर दिया गया है) की आर्थिक सहायता और 15 वर्ष की आयु या शादी होने तक, जो भी पहले हो, स्कूल जाने वाले प्रत्येक बच्चे को पांच वर्ष तक 75 रुपये का मासिक भत्ता और फिर 15 रुपये की मासिक छात्रवृत्ति देना जारी रहा। रिपोर्टींग अवधि के दौरान, इस योजना के तहत भीलबाड़ा क्षेत्र में 2 श्रमिकों तथा हैबराबाद क्षेत्र में 9 श्रमिकों के लिए क्रमशः 1000 रुपये तथा 2600 रुपये की राशि स्वीकृत की गई।

कुष्ठ रोग से पीड़ित बिहार के अश्रमिकों के इलाज के लिए तेलुगुमारी कुष्ठ रोग अस्पताल में, केंद्र से पीड़ित अश्रमिकों के लिए केन्द्रीय अस्पताल, कल्ला (आसनसोल) तथा मानसिक बीमारियों के लिए मानसिक अस्पताल, कान्के (रांची) में व्यवस्था जारी रही।

रिपोर्टींग अवधि के दौरान, चार द्यूबकटामी तथा 47 लेप्टोस्फोपिक आग्रेशन किए गए तथा 6959 निरोध बिलित किए गए।

यदि कोई लय रोगी परिवार में कमाये वाला प्रमुख व्यक्ति है, तो उसे नौ माह तक 100 रुपये प्रति माह निर्वाह भत्ता दिया जाता है।

**शैक्षिक तथा मनोरंजन सुविधाएं :**

अश्रमिकों तथा उनके आश्रितों को शैक्षिक तथा मनोरंजन सुविधाएं प्रदान करने के लिए कल्याण संगठन ने बहुउद्देश्य संस्थान खोले हैं, जिनमें प्रत्येक में प्रौढ़ शिक्षा केंद्र तथा महिला कल्याण केंद्र है। मनोरंजन प्रयोजनार्थ अश्रमिक छानन क्षेत्रों में रेडियो सैट लगाए गए हैं और अश्रमिक खान श्रमिक कल्याण संगठन के अधीन मनोरंजन क्लब और पुस्तकालय तथा वाचनालय कार्य कर रहे हैं। इन सुविधाओं की व्यवस्था करने वाले संस्थानों की संख्या निम्नानुसार है:—

क्र.	संस्थान का विवरण	राज्य	का नाम	
		बिहार	राजस्थान	कुल
1.	बहुउद्देश्यीय संस्थान जिसमें प्रौढ़ शिक्षा केंद्र तथा महिला कल्याण केंद्र हैं	—	9	9
2.	लघु सामुदायिक केंद्र	1	5	3
3.	अश्रमिकों के बच्चों के लिए आवास गृह/छात्रावास	1	1	3
4.	प्राथमिक प्राथमिक स्कूल	4	—	4
5.	माध्यमिक स्कूल	—	—	1
6.	पोषक केंद्र	—	1	1
7.	हार्ड स्कूल	2	1	3
8.	बल्ले फिरोज सिनेमा	—	1	1
9.	बिभागीय रेडियो सैट	15	16	6
10.	मनोरंजन क्लब	14	—	8
11.	भजन मंडली	7	9	1
12.	टेलीविजन सैट	1	—	—

बल्ले फिरोज सिनेमा एककों के माध्यम से शैक्षिक व धार्मिक फिल्में प्रदर्शित की जाती है।

स्कूल तथा कॉलेज में पढ़ने वाले अश्रमिकों के लड़के/लड़कियों को 15 रुपये से 125 रुपये प्रतिमाह छात्रवृत्तियां दी जाती हैं। रिपोर्टींग अवधि के दौरान, अश्रमिकों के 379 स्कूल जाने वाले बच्चों में 1,27,047 रुपये की राशि बिलित की गई।

अश्रमिकों के बच्चों को पुस्तक और खेलें बिलित की गई हैं।

**भाग-III**

वर्ष 1985-86 के लिए प्राप्ति तथा व्यय निम्नानुसार है:—

प्राप्ति:—	
पहले अप्रैल, 1985 को अथ जेब	225,74,240 रुपये
वर्ष 1985-86 के दौरान प्राप्ति	87,14,000 रुपये
व्यय	222,42,511 रुपये
31-3-1986 को अथ जेब	201,26,882 रुपये

**भाग IV**

वर्ष 1986-87 के लिए अनुमानित आय और व्यय निम्नानुसार है:—

अनुमानित आय	1,26,16,000 रुपये
व्यय	1,21,00,000 रुपये

[संख्या जैड-1, 2013/4/86-कल्याण-II]

S.O. 2163.—In pursuance of Sub-Section (4) of Section 3 of the Mica Mines Labour Welfare Fund Act, 1946 (22 of 1946), the Central Government hereby publish the following report of the activities financed from the Mica Mines Labour Welfare Fund during the year ending 31st March, 1986 together with a statement of accounts for the year and an estimates of receipts and expenditure of the said fund for the year 1986-87.

**PART-I**

**1. General**

The Mica Mines Labour Welfare Fund has been constituted under the Mica Mines Labour Welfare Fund Act, 1946 (22 of 1946) for financing the schemes relating to the welfare of Labour employed in the mica mining industry.

2. The Act provides for the levy of a duty of custom as on all mica exported upto a maximum rate not exceeding 6-1/4 per cent ad valorem as may from time to time be fixed by the Central Government in the official Gazette. However rate of cess was enhanced to 3-1/2 per cent with effect from 15th July, 1974, from the previous level of 2-1/2 per cent ad valorem.

**PART-II**

**2. Medical**

Various types of medical facilities for mica workers and their dependents are provided free of cost by the Mica Mines Labour Welfare Organisation. These include provision and maintenance of hospitals, maternity and child welfare centres, facilities for treatment of TB including domiciliary treatment, dispensary service including Ayurvedic dispensaries and other facilities etc. The following Central and Regional hospitals continued to be maintained by the Welfare Organisation for the treatment of the mica miners and their dependents during the year under report:—

S. No.	Name of the Hospitals	Bed strength
1	2	3
1.	Central Hospital, Kalichedu (Andhra Pradesh)	30
2.	Regional Hospital, Talupur (Andhra Pradesh)	10
3.	Regional Hospital Sydapuram (A.P.)	10
4.	Central Hospital, Karma (Bihar)	100
5.	Regional Hospital, Tisri (Bihar)	10
6.	T.B. Hospital, Karma (Bihar)	50
7.	Central Hospital, Gangapur (Rajasthan)	30

In addition the following medical clinics/dispensaries/units also continued to operate in three mica producing states :

Instr.	Andhra Pradesh	Bihar	Rajasthan	Total
Allopathic Dispensaries	—	5	3	8
Ayurvedic Dispensaries	2	8	4	14
Maternity & Child Welfare Centres	—	—	3	3
Mobile Medical Unit	1	2	2	5
Small Community Centres	—	3	—	3

The Welfare Organisation has been endeavouring to provide adequate facilities for treatment of the miners suffering from TB. Apart from setting up of the TB Hospitals and clinics, 4 beds remained reserved in Nellore for providing specialised treatment to mica miners of Andhra Pradesh suffering from TB and Silicosis. Besides, there is a 10 bedded segregated ward in the Central Hospital, Gangapur for the purpose.

#### Miscellaneous Medical Facilities

Under the Fatal Accident and Benefit Scheme, the fund continued to provide financial assistance to the spouse of a miner in the form of a lump sum payment of Rs. 250/- (since revised to Rs. 500/-) and monthly allowance of Rs. 75/- payable for a period of five years and monthly scholarship of Rs. 15/- payable in respect of each school going child till the age of 15 or is married, whichever is earlier. During the period under report an amount of Rs. 1000/- in Bhilwara Region and a sum of Rs. 2600/- in Hyderabad region in respect of 2 and 9 workers respectively were sanctioned under the Scheme.

Arrangements continued for the treatment of mica miners of Bihar suffering from leprosy at the Tetulmari Leprosy Hospital or the treatment of mica miners suffering from cancer, arrangement continued at the Central Hospital Kalla (Asansol) and for mental diseases at the Mental Hospital Kanke (Ranchi)

Four Tubectomy, 47 Leproscopic operations were conducted and 6959 nirodh were distributed during the period under report.

A subsistence Allowance of Rs. 100/- P.M. is granted to a TB patient for a period upto 9 months when he happens to be the only earning member of the family.

#### Educational and Recreational Facilities

For providing educational and recreational facilities to mica workers and their dependents, various multipurpose institutes, each comprising of an Adult Education Centre and Woman Welfare Centre have been opened by the Welfare Organisation. For recreation purposes Radio Sets have been installed in the micamining areas and recreation clubs as well as library and reading rooms have been functioning under the Mica Mines Labour Welfare Organisation. The number of institutions providing these facilities are as detailed below :—

S. No.	Particulars of the Institution	A.P.	Bihar	Rajasthan	Total
1.	Multipurposes Institution with adult education centre & women's welfare centre	—	9	—	9
2.	Small Community Centre	1	5	3	9
	Boarding Home/ Hostels for miners children	1	1	1	3
3.	Primary Elementary School	4	—	—	4
4.	Middle Schools	—	1	—	1
5.	Feeder Centres	—	1	—	1
7.	High School	2	1	—	3
8.	Mobile Cinema Units	—	1	1	2
9.	Departmental Radio Sets	15	16	6	37
10.	Recreation Clubs	14	—	8	22
11.	Bhajan Mandalies	7	9	1	17
12.	TV Sets	1	—	—	1

Films of educational and religious value are exhibited through the mobile cinema units.

Scholarships ranging from Rs. 15/- to 125/- pm are awarded to the sons/daughters of miners studying in schools and colleges. During the year under report a sum of Rs. 1,27,047 was distributed among 379 school going children of mica miners.

The Books and slates to the children of mica miners were distributed. Mid-day meals were also served to primary school going children of miners.

#### PART-III

The receipts and expenditure for the year 1985-86 are as under :—

##### Receipts :—

Opening balance as on 1st April, 1985	Rs. 225,74,240
Receipt during the year 1985-86	Rs. 87,14,000
Expendure	Rs. 122,42,511
Closing balance as on 31-3-86	Rs. 201,26,882

#### PART-IV

Estimated receipts and expenditure for the year 1986-87 are as follow :—

Budget Estimates	Rs. 126,16,000
Expenditure	Rs. 121,00,000

[No. Z.12013/4/86-W III]

का.प्र. 2164.—केन्द्रीय सरकार, जूना पत्थर और डोलोमाइट खान श्रम कल्याण निधि अधिनियम, 1972 (1972 का 62) की धारा 10 के अन्वय में, वित्तीय वर्ष 1985-86 के दौरान उक्त अधिनियम के अधीन वित्त पोषित अपने क्रियाकलापों का विवरण देने हेतु उस वर्ष के लेखा विवरण के माध्यम निम्नलिखित रिपोर्ट प्रकाशित करती है—

#### सामान्य :

जूना पत्थर और डोलोमाइट खान श्रम कल्याण निधि को जूना पत्थर और डोलोमाइट खान श्रम कल्याण निधि अधिनियम, 1972 (1972 का 62) के अधीन गठित किया गया था, जिसमें जूना पत्थर और डोलोमाइट खान में नियोजित कर्मचारियों के कल्याण की प्रसिद्धि करने के लिए किसी खान में उम्पावित उक्त जूना पत्थर और डोलोमाइट पर श्रमिकों :

(i) किसी कारखाने के प्रविष्टता को नियंत्रित किया जाता है या प्रत्येक घण्टा किया जाता है; या

(ii) प्रेसी खान के स्वामी द्वारा सीमेंट, कोहल या इस्पात, कैरो-ग्रनाय, प्रलाय स्टोल, रसायनों, चीनी, कागज, खाद, रिफ़ैक्टरीज, लौह प्रत्यक्ष टेलेटाईजेशन या ऐसी अन्य वस्तुओं या सामानों या वस्तुओं या सामानों के वर्ग, जैसा कि केन्द्रीय सरकार समय पर सरकारी राजपत्र में अधिसूचना द्वारा निर्दिष्ट करती है, के निर्माण में किसी प्रयोजन के लिए उपयोग में लाया जाता है।

एक रुपये प्रति मीट्रिक टन से अधिक दर से उत्पादन शुल्क के उद्घाटन और संग्रहण की व्यवस्था की गई है। इस समय उद्घाटन की वास्तविक दर बीस पैसे प्रति मीट्रिक टन है। उक्त दर के भाग में मुद्रा लोच स्वास्थ्य और स्वच्छता में सुधार, बिक्री तथा मुद्राओं की बरतना, प्रशासन और पोषण कार्यक्रमों, आदि के लिए प्राधिकृत सहायता देने के लिए उपयोग में लाए जाते हैं।

2 प्रशासनिक सुविधाओं के लिए, उन्नीस राज्य और संसाधित क्षेत्र गोवा और बिस्वी का, जिनमें देश की जूना पत्थर और डोलोमाइट खान हैं, दो क्षेत्रों में बांटा गया है और प्रत्येक क्षेत्र को कल्याण प्राधिकार प्रविष्टता में रखा गया है। इन क्षेत्रों के कल्याण प्राधिकारों को इन अधिनियम और इसके अधीन बनाए गए नियमों को लागू करने के लिए कल्याण

घोर उपकर आयुक्तों के रूप में नियुक्त किया गया है। क्षेत्रों का चयन इस प्रकार किया गया है :—

क्रमांक	अधिकारी का पदनाम	मुख्यालय	उनके क्षेत्राधिकार में आने वाले राज्य का नाम
1	2	3	4
1.	कल्याण आयुक्त, अम मंत्रालय भारत सरकार, जबलपुर	जबलपुर	मध्य प्रदेश
2.	कल्याण आयुक्त, अम मंत्रालय भारत सरकार, भुवनेश्वर	भुवनेश्वर	उड़ीसा
3.	कल्याण आयुक्त, अम मंत्रालय भारत सरकार, कलकत्ता	कलकत्ता	पश्चिम बंगाल, असम, बिपुरा, मेघालय, मणिपुर, नागालैंड और त्रिपुरा
4.	कल्याण आयुक्त, अम मंत्रालय भारत सरकार, इलाहाबाद	इलाहाबाद	उत्तर प्रदेश, जम्मू और कश्मीर, हिमाचल प्रदेश, पंजाब और संघ शासित क्षेत्र दिल्ली और चंडीगढ़
5.	कल्याण आयुक्त, अम मंत्रालय भारत सरकार, भीलवाड़ा	भीलवाड़ा	राजस्थान, गुजरात और हरियाणा
6.	कल्याण आयुक्त, अम मंत्रालय भारत सरकार, बंगलौर	बंगलौर	कर्नाटक और केरल
7.	कल्याण आयुक्त, अम मंत्रालय भारत सरकार, हैदराबाद	हैदराबाद	तमिलनाडु, आंध्र प्रदेश और संघ शासित क्षेत्र पांडिचेरी
8.	कल्याण आयुक्त, अम मंत्रालय भारत सरकार, नागपुर	नागपुर	महाराष्ट्र और संघ शासित क्षेत्र गोवा
9.	कल्याण आयुक्त, अम मंत्रालय भारत सरकार, कर्ना	कर्ना	बिहार

3. नूना पत्थर और डोलोमाइट अम कल्याण निधि अधिनियम, 1972 के अधीन एक केन्द्रीय सलाहकार समिति घोर बिहार, मध्य प्रदेश, कर्नाटक, उड़ीसा, राजस्थान और उत्तर प्रदेश राज्यों में 6 राज्य सलाहकार समितियाँ गठित की गई हैं। महाराष्ट्र, गुजरात, तमिलनाडु, आंध्र प्रदेश के संबंध में राज्य सलाहकार समितियाँ गठित की जा रही हैं। इन समितियों की प्राथमिक बैठकें होती हैं और यह सरकार को इन अधिनियम के प्रणाली के बारे में सलाह देती हैं।

4. नूना पत्थर और डोलोमाइट खानों के अधिकारों के लिए निम्नलिखित कल्याण सुविधाओं की व्यवस्था की गई है :—

क. स्वास्थ्य

कल्याण निधि संगठन द्वारा छोटे गढ़ 13 आयुर्वेदिक औषधालयों, 20 एंथ्रोपिक औषधालयों और एक प्रसूति एवं बिशु कल्याण केंद्र द्वारा नूना पत्थर और डोलोमाइट खान कर्मचारी और उनके अधिकारियों को चिकित्सीय सुविधा दी जाती रही। 1985-86 के दौरान चार घोर औषधालयों (2 राजस्थान में और 2 जबलपुर में) के लिए मंजूरी दी गई है। दो खान प्रबंधनकों को अपने औषधालयों के रख-रखाव के लिए 21,305/- रु., की सहायता अनुदान राशि दी गई थी। संयंत्रों अस्पताल में संयंत्रों से अस्वस्थ कर्मचारियों की चिकित्सा के लिए 62 पंजीकृत किए गए हैं। 1985-86 के दौरान संयंत्रों में 784 कर्मचारियों

की चिकित्सा दी गई थी। भारत घोर गम्भीर दुर्घटना लाभ योजना के अधीन 28 मामलों में लाभ दिए गए हैं। स्वास्थ्य के अंतर्गत 1985-86 के दौरान कुल व्यय 30,54,183 52 रुपये था।

ख. शिक्षा

छात्रवृत्तियाँ देने संबंधी योजना के अधीन नूना पत्थर और डोलोमाइट खान के ऐसे नियमित अधिकारियों के पुत्रों और पुत्रियों को छात्रवृत्तियों दी जाती हैं, जिनकी मासिक आय 1600/- रु. प्रति माह से अधिक न हो। इस योजना में पाँचवी कक्षा से लेकर तकनीकी शिक्षा विधी पाठ्यक्रमों, चिकित्सीय, घोर इंजीनियरी पाठ्यक्रम के लिए प्रति विद्यार्थी 15/- रु. प्रति माह से 125/- रु. प्रति माह तक छात्रवृत्तियाँ देने की व्यवस्था है। 1985-86 के दौरान शिक्षा पर 7,71,384.50/- रुपये खर्च किए गए थे जिसमें से 537,863/- रुपये की राशि खान अधिकारियों के 1910 बालकों को छात्रवृत्तियों के रूप में दी गई है।

ग. मनोरंजन

रिपोर्टेडिबल वर्ष के दौरान जबलपुर क्षेत्र में दो, भुवनेश्वर क्षेत्र में एक, इलाहाबाद क्षेत्र में 4, तथा बंगलौर क्षेत्र में 3 नए किन्ने सिनेमा एकक काम करने रहे। नूना पत्थर और डोलोमाइट खान अधिकारियों के लिए उड़ीसा में पुनी में एक प्रकृति गृह भी स्थापित किया गया था। विभिन्न खान प्रबंधकों को 16 मि.मीटर के 28 प्रोजेक्टर सहायक उपकरणों के साथ दिए गए हैं। फिल्मों के किराने के व्यय की प्रति प्रति के लिए खान प्रबंधकों को 20000/- रु. प्रतिवर्ष की दर से प्रति प्रबंधक को दिया जा रहा है। हमें ध्यान, कुछ खान प्रबंधकों का रेडियो सेट आदि दिए गए हैं। रिपोर्टेडिबल अवधि के दौरान 10,13,814.00 रु. की राशि मनोरंजन सुविधाओं पर खर्च की गई है।

घ. जन प्राप्ति

रिपोर्टेडिबल वर्ष के दौरान 6,53,000 00 रु. में से 3,65,588 89 रु. का राशि जन प्राप्ति के लिए निम्नलिखित प्रबंधनों का मजूर की गई है :—

1. मैसूर उत्तर प्रदेश राज्य खनिज विभाग नीति को वाटर पार्थी लाईन के लिए 20,565 00 रु. का अनुदान मंजूर किया गया था।

2. मैसूर भारतीय इस्पात प्राधिकरण निम्नलिखित, पुरतारा, उड़ीसा को जल शुद्ध करने के प्लांट के लिए 3.09 लाख रुपये का अनुदान मंजूर किया गया था।

3. मैसूर रमड सीमेंट वर्क्स गोपाल नगर, मध्य प्रदेश को 38,000/- रु. अनुदान मंजूर किया गया था।

ड. आयाम

नूना पत्थर और डोलोमाइट अधिकारियों के लिए मकान देने का व्यवस्था करना संगठन के मुख्य कार्यकर्ताओं में से एक प्रमुख कार्य है।

इस समय तीन योजनाएँ चल रही हैं जिनके नाम इस प्रकार हैं, अधीन :—

- टाइप-I आवास योजना
- टाइप-II आवास योजना
- अपना घर स्वयं बसाया

(क). टाइप-I आवास योजना : इस योजना के अंतर्गत नूना पत्थर और डोलोमाइट खानों के अधिकारियों को 75 प्रतिशत या 7,500/- रु. इसमें से जो भी कम हो, की वार्षिक सहायता देय है। इसके अतिरिक्त सामान्य क्षेत्रों के लिए 2000/- रु. का 50 प्रतिशत की दर से तथा कर्मचारी क्षेत्रों में 2000/- रु. की 75 प्रतिशत या वास्तविक लागत, उनके से जो भी कम हो, विभाग व्यय देय है। विभाग तथा से से पैसे बचाने के लिए बाहरी और भीतरी जनपति, मकान, विभिन्न तथा से से पैसे बचाने के लिए

शामिल होगा। वित्तीय वर्ष 1985-86 के दौरान टाइप-I मातृत्व योजना के अन्तर्गत नूना पत्थर और डोलोमाइट खान श्रमिकों के लिए 3995 घरों की मंजूरी दी गई थी।

(ख) टाइप-II मातृत्व योजना के अन्तर्गत, देव धार्मिक महापना की दर 15,000/-रु. या निर्माण लागत की 75 प्रतिशत, इनमें से जो भी कम हो देय है। इसके प्रतिरिक्त, साधारण क्षेत्रों में प्रति मकान के लिये 1500/-रु. और काली कपास या उभरी हुई भूमि क्षेत्रों में 2,250/-रु. की दर से या विकास की मासविक लागत, इनमें से जो भी कम हो धार्मिक सहायता देय है। 1985-86 के दौरान इस योजना के अन्तर्गत 474 घरों की मंजूरी दी गई।

(ग) अपना मकान स्वयं बनाओ योजना के अधीन पात्र कर्मकार की 1000/- रु. की दर से धार्मिक सहायता और इसके प्रतिरिक्त 4000/- रु. का व्याज मुक्त ऋण दिया जाता है, जो कि 9 वर्षों से अधिक अवधि में मासिक किस्तों में वसूल किया जाता है। इस वित्तीय वर्ष के दौरान इस योजना के अधीन 83 कर्मकारों को लाभ मिला।

1985-86 वर्ष के लिए लेखा विवरण:—

पहली अप्रैल, 1985 की शारदिक प्रतिवेद	3,17,16,719.00 रु.
1985-86 के दौरान प्राप्तियाँ	110,56,348.00 रु.
1985-86 के दौरान व्यय	106,78,195.00 रु.
31-3-86 की प्रतिवेद	320,94,872.00 रु.

[नं जव-12015/2/86-इन्सु-II]

S.O. 2164.—In pursuance of Section 10 of the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972 (62 of 1972), the Central Government hereby publishes the following report giving an account of its activities financed under the said Act during the year 1985-86 together with the statement of accounts for that year:—

#### General

The Limestone and Dolomite Mines Labour Welfare Fund was constituted under the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972 (62 of 1972) which provides for the levy and collection of cess at a rate not exceeding one rupee per metric tonne on so much of Limestone and Dolomite produced in any mine:—

- (i) as is sold or otherwise disposed of to the occupier of any factory; or
- (ii) as is used by the owner of such mine for any purpose in connection with the manufacture of cement, iron or steel, ferro-alloys, alloy steel, chemicals, sugar, paper fertilizers, refractories, Iron Ore pelletisation or such other article or goods or class of articles or goods, as the Central Government may from time to time specify by notification in the official Gazette.

to promote the welfare of the persons employed in Limestone and Dolomite Mines. The actual rate of levy presently is 20 paise per metric tonne. The proceeds of the cess are being utilised mainly for the improvement of public health and sanitation, provision of medical facilities subsidy on housing and nutrition programme etc.

For administrative convenience, the nineteen States and Union Territories of Goa and Delhi, which have limestone and dolomite mines in the country, have been grouped into nine regions and each region is placed under the over all charge of the Welfare Commissioner. The Welfare Commissioner of the areas have been appointed as Welfare and Cess Commissioner for the enforcement of the Act and Rules framed there under. The allocation of the region is as under:—

S. No.	Designation of Officer	Headquarter	Name of the State and their Jurisdiction
1	2	3	4
1.	Welfare Commissioner, Government of India, Ministry of Labour, Jabalpur.	Jabalpur	Madhya Pradesh

1	2	3	4
2.	Welfare Commissioner, Government of India, Ministry of Labour, Bhubaneswar	Bhubaneswar	Orissa
3.	Welfare Commissioner, Ministry of Labour, Government of India, Calcutta	Calcutta,	West Bengal, Assam, Tripura, Meghalaya, Manipur, Nagaland & Arunachal Pradesh
4.	Welfare Commissioner, Government of India, Ministry of Labour, Allahabad	Allahabad	Uttar Pradesh, Jammu and Kashmir, Himachal Pradesh, Punjab, Union Territory of Delhi and Chandigarh
5.	Welfare Commissioner, Government of India, Ministry of Labour, Bhillwara	Bhillwara	Rajasthan, Gujarat and Haryana
6.	Welfare Commissioner, Government of India, Ministry of Labour, Bangalore	Bangalore	Karnataka and Kerala.
7.	Welfare Commissioner, Government of India, Ministry of Labour, Hyderabad	Hyderabad	Tamil Nadu, Andhra Pradesh and Union Territory of Pondicherry
8.	Welfare Commissioner, Government of India, Ministry of Labour, Nagpur	Nagpur	Maharashtra and Union Territory of Goa
9.	Welfare Commissioner, Government of India, Ministry of Labour, Karm	Karma	Bihar

3. A Central Advisory Committee and 6 State Advisory Committees, for the States of Bihar, Madhya Pradesh, Karnataka, Orissa, Rajasthan and Uttar Pradesh have been re-constituted under the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972. The State Advisory Committees in respect of Maharashtra, Gujarat, Tamil Nadu and Andhra Pradesh are being reconstituted. The Committees meet periodically and advise the Government regarding administration of the Act.

4. The following welfare facilities, have been provided to the Limestone and Dolomite Mines workers:

#### A. Health

Thirteen Ayurvedic dispensaries, 20 allopathic dispensaries, one Maternity-cum-Child Welfare Centre set up earlier by the Welfare Fund Organisation have continued to give medical treatment to the limestone and dolomite mines workers and their dependents. Four more dispensaries (2 in Rajasthan and 2 in Jabalpur) were sanctioned during 1985-86. Grants-in-aid of Rs. 21,305 were given to the two mine managements for maintaining their dispensaries. 62 beds have been reserved in TB hospitals for the treatment of workers suffering from TB. 784 workers were given treatment who were suffering from TB during the 1985-86. Benefits have been given in 28 cases under Fatal and Serious Accident Benefits Scheme. The total expenditure during 1985-86 under the Health was Rs. 30,53,483.52.

#### B. Education

Under the Scheme for the award of scholarships, scholarships are granted to the sons and daughters of the regular limestone and dolomite mine workers whose monthly income do not exceed Rs. 1600 p.m. The scheme envisages award of scholarships for class V onwards for technical education,

degree course, medical and engineering courses at the rates varying from Rs. 15 to Rs. 125 p.m. per student. During 1985-86, Rs. 7,71,384.50 was spent on education out of which sum of Rs. 5,37,863 has been awarded as scholarship to 1910 children of mines workers during 1985-86.

#### C. Recreation

Two mobile Cinema Units in Jabalpur region, one in Bhubaneswar region, 4 in Allahabad region and 3 in Bangalore region continued to function during the year under report. A Holiday Home was set up at Puri in Orissa for the Limestone and Dolomite Mine workers. Twenty-eight, 16 mm projectors with accessories have been provided to different mine managements. Grants-in-aid for re-imbursement of films hire charges are being paid to the mine managements. During the year under report sum of Rs. 10,13,814 was spent on recreational facilities.

#### D. Water Supply

During the year under report sum of Rs. 3,65,566.89 out of Rs. 6,53,000 was sanctioned/spent under the Water Supply Scheme to the following managements:

1. A subsidy of Rs. 20,565.00 was sanctioned for providing water pipelines to the M/s. UP State Mineral Development Corporation Ltd.
2. Subsidy of Rs. 3.09 lakhs was sanctioned for Water Treatment Plant to M/s. SAIL, Purnapani in Orissa.
3. Subsidy of Rs. 36,000 was sanctioned to M/s. Raymond Cement Works Gopal Nagar in M.P.

#### E. Housing

Provision of Housing accommodation for limestone and dolomite workers is one of the main activities.

Presently, there are three schemes in vogue, namely:—

- (1) Type I Housing Scheme
- (2) Type II Housing Scheme
- (3) Build Your Own House Scheme

(1) Under Type I Housing scheme subsidy is payable at the rate of 75 per cent of the standard estimated cost or Rs. 7500, whichever is less. In addition, development charges are also payable at the rate of 50 per cent of Rs. 2,000 for ordinary areas and 75 per cent of Rs. 2,000 for black cotton or swelly soil areas or the actual cost, whichever is less. The development charges, will inter alia include external and internal water supply, sanitation, electricity and approach roads. During 1985-86 financial year, 3995 houses were sanctioned under Type I Housing Scheme for Limestone and dolomite mine workers.

(2) Under Type II Housing Scheme the rate of subsidy payable is at the rate of Rs. 15,000 or 75 per cent of the cost of construction, whichever is less. In addition development charges are also payable at the rate of Rs. 1500 per house in ordinary areas and Rs. 2250 in black cotton or swelly soil areas or the actual cost of development whichever is less. Under the Scheme 474 houses were sanctioned during the year 1985-86.

(3) Under Build Your Own House Scheme financial assistance is given to an eligible worker at the rate of Rs. 1000 as subsidy besides interest free loan of Rs. 4000, refundable in monthly instalments spread over a period of 9 years. 83 workers have benefitted under the scheme during the financial year.

#### Part II

##### Statement of Account for year 1985-86

Opening balance as on 1st April, 1985	Rs. 317,16,719.00
Receipts during the year 1985-86	Rs. 110,36,348.00
Expenditure during the year 1985-86	Rs. 106,78,195.00
Closing balance as on 31st March, 1986	Rs. 320,94,872.00

[No. Z-12015/2/86-W. II]

का.आ. 2165.—केन्द्रीय सरकार बीड़ी कर्मकार कल्याण निधि नियम 1978 के नियम 3 के उप नियम (2) और नियम 16 के साथ पठित बीड़ी कर्मकार कल्याण निधि अधिनियम, 1976 (1976 का 62) की धारा 5 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, दिनांक 10 नवम्बर, 1984 को भारत के राजपत्र के भाग-II खंड 3, उप-खंड (ii) के पृष्ठ 3267-3268 पर प्रकाशित दिनांक 20 अक्टूबर, 1984 की अधिसूचना सं. का. मा. 3581 में निम्नलिखित संशोधन करती है।

उक्त अधिसूचना में, क्रमांक 8 की जगह निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात्:—

"8. श्री पी० एन० तेलंग,  
10, मालवीय नगर,  
भोपाल-462003"

[संख्या-यू-19012/4/83-वस्यू-II(के०)]

S.O. 2165.—In exercise of the powers conferred by section 5 of the Beedi Workers Welfare Fund Act, 1976 (62 of 1976), read with the sub-rule (2) to rule 3 and rule 16 of the Beedi Workers Welfare Fund Rules, 1978, the Central Government hereby make, the following amendment in the notification No. S.O. 3581 dated the 20th October, 1984 at pages 3267-3268 of Part II Section 3 Sub-section (ii) of the Gazette of India dated the 10th November, 1984.

In the said notification, against serial number 8, the following shall be substituted, namely:—

"8. Shri P. N. Telang,  
10, Malviya Nagar,  
Bhopal-462003,"

[No. U-19012,4/83-W.II(C)]

का.आ. 2166.—बीड़ी कर्मकार कल्याण निधि अधिनियम, 1976 (1976 का 62) की धारा 10 के अन्वय में केन्द्रीय सरकार निम्नलिखित रिपोर्ट प्रकाशित करती है जिसमें 31 मार्च, 1986 को समाप्त होने वाले वर्ष के दौरान उक्त अधिनियम के अर्धीन वित्तीय सहायता प्राप्त निधि के कार्यकलापों का लेखा जोखा दिया गया है।

#### सामान्य

बीड़ी प्रतिष्ठानों में सीधे या किन्हीं एजेंसियों के माध्यम से नियोजित व्यक्तियों के कल्याण को बढ़ावा देने के उपायों के संबंध में वित्तीय सहायता देने के लिए बीड़ी कर्मकार कल्याण उपकर अधिनियम, 1978 और बीड़ी कर्मकार कल्याण निधि अधिनियम, 1976 के अर्धीन बीड़ी कर्मकार कल्याण निधि गठित की गई है।

बीड़ी कर्मकार कल्याण उपकर अधिनियम, 1978 के अर्धीन बनाए गए नियम 15 फरवरी, 1977 से और बीड़ी कर्मकार कल्याण निधि अधिनियम, 1976 के अर्धीन बनाए गए नियम 7 अक्टूबर, 1978 से लागू हुए।

बीड़ी कर्मकार कल्याण उपकर अधिनियम, 1978 (1978 का 56) की धारा 7 की उप धारा (3) द्वारा प्रवृत्त शक्ति का प्रयोग करते हुए, केन्द्रीय सरकार ने बीड़ी निर्माण के संबंध में किसी भी प्रयोजन के लिए गोदाम से किसी व्यक्ति को दिए गए तस्कान पर प्रति किसी धाम 25 पैसे की दर उस समदर के रूप में निष्पत्ति की थी, जिस पर उपकर के रूप में उल्काव शुल्क लगाया जाना था और एकत्र किया जाना था।

बिना अधिनियम, 1976 के अधीन, लम्बाकूपर उत्पाद शुल्क लागाने से छूट दी गई और गोशामों को लाहसेम देना समाप्त किया गया। बीड़ी कर्मकार कल्याण उपकर अधिनियम 1976 के अधीन एकत्र किए जा रहे उपकर को भी पहली मार्च 1976 से बढ़ कर दिया गया। निधि के अधीन कार्यक्रमों में छन लगाने के लिए बीड़ी कर्मकार कल्याण उपकर (संशोधन) अधिनियम, 1981 बनाया गया और पहली जनवरी, 1982 से प्रत्येक हजार निम्नित बीड़ियों पर 10 पैसे की दर से उपकर लगाया जा रहा है।

प्रशासनिक सुविधा के लिए, ऐसे राज्यों को जहाँ देश में बीड़ी अधिक सहेन्द्रित है, 9 क्षेत्रों में वर्गीकृत किया गया है और विभिन्न कार्य कलाओं के कर्मियों के लिए प्रत्येक क्षेत्र एक कल्याण आयुक्त की नियरानी में है। कल्याण आयुक्तों के अधिकार क्षेत्र इस प्रकार हैं

क्रमांक	क्षेत्र का नाम	राज्य का नाम
1	कल्याण आयुक्त, भारत सरकार, भुवनेश्वर	उड़ीसा
2	कल्याण आयुक्त, भारत सरकार, कलकत्ता	पश्चिम बंगाल और पूर्वी असम, मधीपुर, त्रिपुरा, नागाल और मणिपुर प्रदेश, मेघालय और मिजोरम
3	कल्याण आयुक्त, भारत सरकार, इलाहाबाद	उत्तर प्रदेश हिमाचल प्रदेश, जम्मू व कश्मीर, पंजाब और दिल्ली तथा अंडीगड संघ राज्य क्षेत्र।
4	कल्याण आयुक्त, भारत सरकार, बीलवाड़ा	राजस्थान, हरियाणा और गुजरात
5	कल्याण आयुक्त, भारत सरकार, जबलपुर	मध्य प्रदेश
6	कल्याण आयुक्त, भारत सरकार, अक मंत्राबय बगलौर।	कर्नाटक और तेलंग
7	कल्याण आयुक्त, भारत सरकार, हैदराबाद	तमिलनाडु, आन्ध्र प्रदेश और पाकिस्तान।
8	कल्याण आयुक्त, भारत सरकार, बानपुर	महाराष्ट्र और गोवा, वमन और दीव तब राज्य क्षेत्र।
9	कल्याण आयुक्त, भारत सरकार, कराचा	बिहार

#### चिकित्सा देखरेख

चिकित्सा सुविधाएं प्रदान करने के लिए मूलभूत ढांचे के संगठन के काम को उच्च प्राथमिकता दी गई है। अब कल्याण संगठन द्वारा बीड़ी कर्मकारों और उनके आश्रितों को विभिन्न प्रकार की चिकित्सा सुविधाएं निशुल्क प्रदाय की जा रही हैं। इनमें अस्पतालों, औषधालयों, प्रसूति और शिशु कल्याण केन्द्रों की व्यवस्था तथा उनकी देखरेख टी० बी० के इलाज के लिए सुविधाएं आदि शामिल हैं।

वर्तमान चिकित्सा संस्थान के अतिरिक्त रिपोर्टेरीन बर्ष के दौरान 18 नए औषधालय (बगलौर क्षेत्र में एक, भुवनेश्वर क्षेत्र में दो, कलकत्ता क्षेत्र में दो, नागपुर क्षेत्र में पांच, हैदराबाद क्षेत्र में दो और जबलपुर क्षेत्र में छह) को मजबूती दी गई। पहले मजबूती किए गए औषधालयों की संख्या 116 थी। कल्याण संगठन अब राय से पीड़ित बीड़ी कर्मकारों के इलाज के लिए वायान्त सुविधाएं प्रदान करने हेतु प्रयास कर रहा है। उन कर्मकारों के इलाज के लिए, जो श्रम रोग से पीड़ित हैं 84 पत्रों का आरक्षण किया गया है। इस अवधि के दौरान 32040 कर्मकारों ने चिकित्सा सुविधाओं का लाभ उठाया है। वसुंधा की खरीद के लिए 10 कर्मकारों को वित्तीय सहायता प्रदान की गई।

बीड़ी कर्मकारों के कल्याण हेतु इलाहाबाद क्षेत्र में एक नैत्र जांच केंद्र और स्त्रीरोग संबंधी कैंप का आयोजन किया गया।

स्वास्थ्य कार्यक्रमों का अंतर्गत बीड़ी कर्मकारों के कल्याण हेतु वर्ष 1985-86 के दौरान 1,55,86,031 रुपये का राशि खर्च की गई।

#### शिक्षा

अब कल्याण संगठन के विभिन्न क्षेत्रों में बीड़ी कर्मकारों के 21243 बच्चों का छात्रवृत्ति के रूप में 6283025/-रुपये की राशि प्रदान की गई। इस अवधि के दौरान, स्कूल आने वाले 2223 बच्चों को ट्रेस का एक सैट दिया गया था।

#### आवास

बीड़ी कर्मकारों के लिए आवास की व्यवस्था करना मुख्य कार्य-कलाप है। इस समय, दो योजनाएं प्रचलित हैं, अर्थात् —

(i) अधिक रूप से कमजोर वर्गों के लिए आवास योजना,

(ii) अपना मकान स्वयं बनाओ योजना

(i) अधिक रूप से कमजोर वर्गों के लिए आवास योजना के अंतर्गत, राज्य सरकारों को 3000/- रु प्रति मकान की दर से इमदाद दी जा रही है। इसके अलावा, राज्य सरकारों ने बीड़ी कर्मकारों के लिए मकानों का निर्माण किया और उन्हें बीड़ी कर्मकारों को आवंटित किया। रिपोर्टेरीन बर्ष के दौरान 5598 मकानों के लिए मजबूती जारी की गई।

(ii) अपना मकान स्वयं बनाओ योजना के अंतर्गत, पात्र कर्मकारों को 9 वर्षों की अवधि में मासिक किस्तों में वापस किये जाने वाले 4000/- रु के व्याज मुक्त ऋण के अलावा इमदाद के रूप में 1000/- रु की दर से वित्तीय सहायता दी जाती है। वित्तीय बर्ष के दौरान इस योजना के अंतर्गत 816 कर्मकारों को फायदा हुआ है।

आवास कार्यक्रमों के अंतर्गत, वित्तीय बर्ष के दौरान, 94,000/- रु की राशि खर्च की गई।

बीड़ी अधिक सहकारी समितियों को गोशाम तथा बर्कशेड बनाने के लिए वित्तीय सहायता प्रदान करने हेतु एक योजना बनाई गई है। इस योजना में बर्कशेड/गोशाम के निर्माण को वास्तविक लागत का 75 प्रतिशत या 50,000/-रुपये, जो भी कम हो, वित्तीय सहायता देने की व्यवस्था है।

वर्ष 1985-86 के लिए लेखा विवरण

1	पहली अप्रैल 1985 को अच-सेच	- 7,17,26,587 00 रुपये
2	वर्ष 1985-86 के दौरान प्राप्तियां	- 3,11,13,009.00 रुपये
3	वर्ष 1985-86 के दौरान व्यय	- 2,56,40,548.00 रुपये
4	31 मार्च, 1986 को अच-सेच	- 7,71,99,048 00 रुपये

[संख्या जैड-12015/2/86-इस्यू-II]

एस०एस० भत्ता, अवर सचिव

S.O. 2166—In pursuance of Section 10 of the Beedi Workers Welfare Fund Act, 1976 (62 of 1976), the Central Government hereby publishes the following report on the activities financed under the said Act, during the year ending 31st March, 1986 —

#### General

The Beedi Workers Welfare Fund has been constituted under the Beedi Workers Welfare Cess Act, 1976, and the Beedi Workers Welfare Fund Act, 1976, for financing of measures to promote the welfare of persons engaged in beedi establishments directly or through any agency.

The Rules framed under the Beedi Workers Welfare Cess Act, 1976, came into force with effect from 15th Feb 1977 and the Rules under the Beedi Workers Welfare Fund Act, 1976, from the 7th October, 1978.

In exercise of the powers conferred by sub-section (3) of the Section 9 of the Beedi Workers Welfare Cess Act, 1976 (56 of 1976), the Central Government had fixed the rate of 25 paise per kilogram of tobacco issued to any person from a warehouse for any purpose in connection with the manufacture of beedis at the rate at which the duty of excise was to be levied and collected by way of cess.

Under the Finance Act, 1976, tobacco was exempted from the levy of excise duty and licensing of warehouses was discontinued. The cess which was being collected under the Beedi Workers Welfare Cess Act, 1976 was also stopped with effect from 1st March, 1979. For financing the activities under the Fund, the Beedi Workers Welfare Cess (Amendment) Act, 1981, was enacted and the cess is being levied at the rate of 10 paise per thousand manufactured beedis with effect from 1st January 1982.

For administrative convenience, the States having concentration of beedi workers in the country, have been grouped into 9 regions and each region is under the charge of a Welfare Commissioner for implementing the various activities.

The jurisdiction of the Welfare Commissioner is as under :—

S. No	Name of the Region	Name of the State
1.	The Welfare Commissioner, Government of India, Bhubaneswar	Orissa
2.	The Welfare Commissioner, Government of India, Calcutta.	West Bengal and Eastern State of Assam, Manipur, Tripura, Nagaland, Arunachal Pradesh, Meghalaya and Mizoram.
3.	The Welfare Commissioner, Government of India, Allahabad.	Uttar Pradesh, Himachal Pradesh, Jammu and Kashmir, Punjab and Union Territory of Delhi and Chandigarh.
4.	The Welfare Commissioner, Government of India, Bhubaneswar.	Rajasthan, Haryana and Gujarat
5.	The Welfare Commissioner, Government of India, Jabalpur	Madhya Pradesh
6.	The Welfare Commissioner, Government of India, Bangalore	Karnataka and Kerala
7.	The Welfare Commissioner, Government of India, Hyderabad	Tamilnadu, Andhra Pradesh and Pondicherry.
8.	The Welfare Commissioner, Government of India, Nagpur.	Maharashtra and Union Territory of Goa, Daman and Diu
9.	The Welfare Commissioner, Government of India, Karna.	Karna (Bihar)

#### MEDICAL CARE

Organisation of an infrastructure for rendering medical care has been given top priority. Various types of medical facilities for Beedi Workers and their dependents are being provided free of cost by the Labour Welfare Organisation. These include provision and maintenance of hospitals, dispensaries, maternity and child welfare centres, facilities for treatment of TB etc.

In addition to the existing medical institutions 18 new dispensaries (one in Bangalore region, 2 in Bhubaneswar region, in Calcutta region, 5 in Nagpur region, 2 in Hyderabad

region and 6 in Jabalpur region) were sanctioned during the year under report. The number of dispensaries sanctioned earlier stood at 116. The Welfare Organisation have been endeavouring to provide adequate facilities for treatment of Beedi worker, suffering from T.B. 84 beds have been reserved for the treatment of workers who are suffering from T.B. 32040 workers have availed of the medical facilities during the period. 10 workers were given financial assistance for the purchase of spectacles.

An eye Examination Camp and Gynaecological camp were arranged in the Allahabad region for the welfare of the beedi workers.

A sum of Rs. 1,55,86,031 was spent during the year 1985-86 for the welfare of the Beedi workers under the activities of Health.

#### Education :

An amount of Rs. 62,83,025 was disbursed as scholarships to 21,243 children of the Beedi workers in different regions of Labour Welfare Organisation. 2243 school going children of the beedi workers were given one set of dresses during the period.

#### Housing :

Provision of housing-accommodation for the beedi workers is one of the main activities. Presently there are two schemes in vogue, namely :—

(i) Housing Scheme for Economically Weaker Sections.

(ii) Build Your Own House Scheme.

(i) Under the Economically weaker Section Housing Scheme, State Government are being given subsidy at the rate of Rs. 3000 per house. In turn the State Government constructed houses for the beedi workers and allotted them to the Beedi workers. Sanctions for 5598 houses were issued during the year under report.

(ii) Under Build Your Own House Scheme financial assistance is given to eligible workers at the rate of Rs. 1000 as subsidy besides interest free loan of Rs. 4000, refundable in monthly instalment spread over a period of 9 years. 816 workers have benefited under the scheme during the financial year.

Under the Housing activity a sum of Rs. 94,000.00 were spent during the financial year.

A scheme for grant of financial assistance to Beedi Workers Co-operative Societies for construction of godowns and workshops had been formulated. This scheme provides payment of financial assistance up to 75 percent of the actual cost of the construction of workshop/godown or Rs. 50,000 whichever is less.

#### Statement of Accounts for the year 1985-86 :

1. Opening Balance as on 1st April, 1985	Rs. 717,26,587.00
2. Receipts during the year 1985-86	Rs. 311,13,009.00
3. Expenditure during the year 1985-86	Rs. 256,40,548.00
4. Closing balance as on 31st March, 86	Rs. 771,99,048.00

[No. Z-12015/2/85-W.II]

S. S. BHALLA. Under Secy.

नई दिल्ली, 31 जुलाई, 1987

का. प्र. 2167.—प्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय स्टेट बैंक के प्रबंधन से सम्बन्ध नियोजकों और उनके कर्मचारों के बीच, प्रबंधन में निम्नलिखित प्रौद्योगिक विवाद में केन्द्रीय सरकार प्रौद्योगिक अधिकरण की अध्यक्षता में प्रकाशित करती है, जो केन्द्रीय सरकार को 21-7-87 को प्राप्त हुआ था।

New Delhi, the 31st July, 1987

S.O 2167.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure in the industrial dispute between the employers in relation to the State Bank of India and their workmen which was received by the Central Government on the 21st July, 1987.

**BEFORE SHRI M. K. BANSAL, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
CUM-LABOUR COURT, CHANDIGARH**

Case No. I.D. 26/86

**PARTIES :**

Employers in relation to the management of State Bank of India, Hoshiarpur Branch, Punjab.

**AND**

Their workman : Chander Prabha.

**APPEARANCES :**

For the Employers : Shri T. S. Doabia.

For the Workman : Shri M. L. Baossor.

**INDUSTRY :** Banking.

**STATE :** Punjab.

**AWARD**

Dated, the 9th July, 1987

Vide Central Government notification No. L—12012/212/84-D.II(A) dated 25th February 1986 issued under Section 10(1)-(d) of the Industrial Dispute Act 1947, the following dispute was referred to this Tribunal for decision :

“Whether the action of the State Bank of India in relation to their Hoshiarpur Branch in terminating the services of Smt. Chander Prabha, Clerk with effect from 21-4-1974 is justified? If not, to what relief is the workman concerned entitled?”

2. The case of the workman is that she joined service with State Bank of India, Hoshiarpur as Clerk-cum-Cashier on 2-8-1973 and worked there till 21-4-1974 with intermittent breaks which was also due to no fault of the workman. That services of the workman were terminated on 21-4-1974 without payment of any compensation as contemplated under Section 25 of the Industrial Disputes Act, 1947. So it was alleged that termination is void. Workman claimed re-instatement with all back wages.

3. Bank in their reply alleged that present reference is bad as Central Government vide their letter dated 11-3-1984 refused to make the reference earlier. It was also alleged that Central Government was not competent to review their previous orders dated 11-3-1984 and as such could not make the reference. On merits the date of appointment of workman as 2-8-1973 and the fact that workman worked upto 21-4-1974 were admitted. It was alleged that intermittent breaks were for no fault of the Bank. That the workman was temporary clerk. She was given two chances to appear in the test for clerk for her absorption on regular basis. That workman failed to qualify. That as workman was a temporary employee so no notice was required. It was also alleged workman was not entitled to any compensation and reference being stale should not be allowed.

4. Both the parties in support of their respective allegation placed affidavits on the file and also placed documents. On behalf of the workman documents W2 to W9 were placed on the file. While on behalf of the management documents M2 to M4 have been placed. Written arguments were also placed on the file by both the parties.

5. First contention on behalf of the management is that present reference is bad as Central Government having first declined the reference could not make the reference again. It is true that vide M4 dated 11-3-1984, Central Government refused to make the reference on the ground that workman did not completed 240 days actual working and matter is stale. The perusal of the present reference order shows that Central Government, on reconsideration of the facts and after

giving opportunity to the Employer made the reference. It was contended on behalf of the management that there is no power of review with the Central Government. I am of the view that this argument is not tenable. Powers to review is inherent in the authority who has a right to take decision. Before any review could be taken only limit on the power of the authority is, to hear the party affected by review. In the present case Central Government was competent to make reference or to refuse to make the reference. The Central Government could review its decision which is also of quasi judicial nature. Central Government could review the same only after hearing the Employer which they did in the present case. This Tribunal is not competent to go into the question as to what weighed with the Government to make reference. This view of mine find support from 1972 L.I.C. 1141 an authority of the Supreme Court in case of Binny Ltd. Vs. Their workmen. In the above in para No. 12 it was observed that earlier decision of the Government refusing to make the reference does not make reference invalid. It is also observed there in that objection that order of reference is void is not maintainable when Government is not a party to the proceedings. In case Re-Avon Service Pvt. Ltd. Vs. Industrial Tribunal Haryana Faridabad 1979 L.J. page 1, Their lordships of the Supreme Court held that under Section 10(1) Government is not precluded to make reference on the ground that on earlier occasion it has declined to make the reference. In view of the above two authorities of the Supreme Court I hold that reference can not be held to be bad on the ground that Government on earlier occasion refused to make the reference.

6. The authority cited by management's counsel as Western India Watch Co. (AIR 1070 S.C. 1205) is not applicable to the facts of the case because in the above authority it was observed that Central Government should not reopen its previous decision so as to cause harassment to the employer. In the present case nothing has been brought on the file to show as to how the employer has been prejudiced by the present reference.

7. As regards merits are concerned, the contention of the management's counsel is that though workman had completed 240 days service but still she can not be absorbed as she failed to qualify in the exam. It is proved that workman, as per her own admission could not qualify in the exam. Question is whether workman services who had completed 240 days could be terminated without any retrenchment compensation or not? I am of the view that services of workman can not be terminated without payment of retrenchment compensation. If retrenchment compensation is not paid then order of termination is void. Admittedly in the present case no retrenchment compensation was tendered to the workman. The counsel for the management contended that the decision given in Sundermoney case AIR 1976 S.C. 1111 can not be accepted in the face of the decision of Barsi Light Rly. Case. I do not agree with this contention. Sundermoney are being latest view of Supreme Court will be accepted by this Court. In this it was held that services of any workman can not be terminated without compensation even if he is of casual nature.

8. The contention of the management's counsel that workman could not be given appointment by the Branch Manager so she has no right to be confirmed also can not be accepted. Appointment of workman even though irregular in the beginning stood regularised when workman was allowed to complete 240 days. As a result of any discussion above I am of the view that order of termination of services of workman is void.

9. Now the question arise what right should be given to the workman and what is the effect of the reference being stale. It is evident from the file that present dispute was raised by the workman after lapse of about 10 years. So effect of the stale reference will be that claim of workman for back wages will be disallowed. Granting back wages to the workman will be putting premium on the fault of the workman in not raising the dispute promptly. So claim of workman for back wages from 1974 till date of reference i.e. 25-2-1986 will stand disallowed.



10. As a result of my discussion above it is held that order of termination of workman is void. Workman is entitled to re-instatement in service with continuity in service from back date. But she will not get seniority. She will get back wages from the date of reference i.e. 25-2-1986. Her claim for back wages from 21-4-1974 to 25-2-1986 is disallowed. In a way reference is answered in favour of the workman.

Chandigarh,  
9-7-1987.

M. K. BANSAL, Presiding Officer  
[No. L-12012/212/84-D.II(A)]

का. आ. 2168.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, पंजाब नेशनल बैंक के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट की प्रकाशित करती है, जो केन्द्रीय सरकार को 21-7-87 को प्राप्त हुआ था।

S.O. 2168.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Jabalpur, as shown in the Annexure in the industrial dispute between the employers in relation to the Punjab National Bank and their workmen, which was received by the Central Government on the 21st July, 1987.

BEFORE SHRI V. S. YADAV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT JABALPUR (M.P.)

Case No. CGIT[LC(R)] (54) of 1986

#### PARTIES :

Employers in relation to the management of Punjab National Bank and their workmen Shri O. P. Tiwari S/o Shri Mansukhlal Tiwari, 638, Purwa, Jabalpur (M.P.).

#### APPEARANCES :

For Workman—Shri R. C. Shrivastava, Advocate.

For Management—Shri P. S. Nair, Advocate.

INDUSTRY : Banking DISTT. Jabalpur (M.P.)

#### AWARD

Dated, July, 15 1987

The Central Government referred the following dispute for adjudication to this Tribunal vide Notification No. L-12012/57/85-D.IV(A), dated the 6th June 1986 :

“Whether the Regional Manager, Punjab National Bank Jabalpur (MP) is justified in denying work to Shri Om Prakash Tiwari Peon/Daftry with effect from 1-9-1982 ? If not, to what relief the workman concerned is entitled ?”

2. On receipt of the reference, parties file their pleadings and documents. Workmen filed 2 applications calling for further documents from the management and the Regional Labour Commissioner (C), Jabalpur for which Summons were issued fixing 11-3-87. On 11-3-87 the parties prayed for time to negotiate for a mutual settlement and ultimately filed settlement on 3-6-1987. The settlement has been signed by the workman himself and representative of the management and duly verified by their Counsels. The terms of settlement are as under :

“(i) That the Management will reinstate Shri O. P. Tiwari in the subordinate cadre and he will be given continuity of service.

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(ii) The workman—Shri O. P. Tiwari will not claim any back wages for the period he remained out of service but the intervening period will be treated as extra ordinary leave on loss of pay.

(iii) That Shri O. P. Tiwari will not claim and will not be entitled to Daftary allowance which he was drawing earlier and the post of Daftary will be offered to him as and when a vacancy arises and as per eligibility in terms of rules.

(iv) That the above terms and conditions settle all the disputes fully between the parties.”

3. I have gone through the settlement and in my opinion the terms of settlement are fair, just and in the interest of the workman. I, therefore record my award in terms of the above settlement without any order as to costs.

V. S. YADAV, Presiding Officer.  
[No. L-12012/57/85-D.IV(A)]

नई दिल्ली, 7 अगस्त, 1987

का. आ. 2169.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, सेन्दल बैंक ऑफ इंडिया के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, धनबाद के पंचाट की प्रकाशित करती है, जो केन्द्रीय सरकार को 20-7-87 को प्राप्त हुआ था।

New Delhi, the 7th August, 1987

S.O. 2169.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2 Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the Central Bank of India and their workmen, which was received by the Central Government on the 20th July, 1987.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL

TRIBUNAL NO. (2) AT DHANBAD

Reference No. 353 of 1986

In the matter of Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

#### PARTIES :

Employers in relation to the management of Central Bank of India and their workmen.

#### APPEARANCES :

On behalf of the workmen—Shri B. N. Singh, Union Representative.

On behalf of the employers—K. K. Bhattacharjee, Office of the Bank.

STATE : Bihar.

INDUSTRY : Banking

Dated, Dhanbad, the 13th July, 1987

#### AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-12012/265/85-D.IV(A), dated the 26th November, 1986.

#### SCHEDULE

“Whether the action of the management of Central Bank of India Balumath Branch, Distt. Palamau in terminating the services of Shri Shankar Biswal, Sub-staff w.e.f. 11-5-84 is justified? If not, to what relief is the workman entitled?”

In this reference both the parties appeared and filed their respective W.S. etc. The case proceeded along with its course. Ultimately on 15-6-87 both the parties appeared before me and filed a compromise settlement. I have gone through the terms contained therein and I do find that the terms contained therein are fair, proper and beneficial to both the parties. Accordingly I accept the same and pass an Award in terms of the said settlement which forms part of the Award as annexure.

I. N. SINHA, Presiding Officer  
[No. L-12012/265/85-II (A)]

N. K. VERMA, Desk Officer

#### ANNEXURE

BEFORE THE HON'BLE PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
(NO. 2) AT DHANBAD

In the matter of : Ref. No. 353 of 1986

Employers in relation to Management of Central Bank of India.

AND

Their Workmen.

Compromise Settlement between the Management of Central Bank of India being the first party and Bihar Provincial Central Bank of India Employees Association and the Workmen concerned being the second party.

It is hereby submitted before the Hon'ble Tribunal that a compromise settlement has since been arrived between the said two parties in order to keep cordial and harmonious relation between the said two parties.

The terms and condition of such settlement are as follows :

1. The First Party agrees to absorb the Workman Shri Shankar Biswal in the bank service with full wages per month as applicable to Class IV Staff (Peon) according to Bipartite Settlement as in force.
2. The First Party agrees to appoint Shri Shankar Biswal as such immediately on the next date of submission of this compromise petition before the Hon'ble Tribunal.
3. The said second party agrees to the settlement and accept the same as full and final settlement of their dispute and demand to their full satisfaction.
4. The Second Party will not raise any dispute in future whatsoever in respect of this dispute for appointment of the said Shri Shankar Biswal and will have no claim whatsoever therefor as the same is finally and satisfactorily disposed of by this settlement.

We the first and second party being fully agreed with the said terms and conditions signed this statement and submit before the Hon'ble Tribunal to dispose of the case in terms of the said terms and conditions for which we ever pray.

Dated : 15th June, 1987.

Sd/-

First Party

Shri M.L. Choudhury,  
Regional Manager,  
Central Bank of India,  
Ranchi.

1. Sd/-

Second Party

Shri B. N. Singh,  
On behalf of Bihar Pradesh  
Central Bank of India  
Employees Association.

2. Sd/-

Shri Shankar Biswal

नई दिल्ली, 3 अगस्त, 1987

का. प्र. 2170—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुकरण में, केन्द्रिय सरकार, विहकल फैक्ट्री, जबलपुर में प्रबंधन से सम्बन्धित विवादों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रिय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रिय सरकार को 23 जुलाई, 1987 को प्राप्त हुआ था।

New Delhi the 3rd August, 1987

S.O. 2170.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Jabalpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Vehicle Factory, Jabalpur and their workmen which was received by the Central Government on the 23rd July, 1987.

BEFORE SHRI V. S. YADAV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—  
CUM-LABOUR COURT, JABALPUR (M.P.)

Case Ref. No. CGIT/LC(R)(71)/1984

#### PARTIES :

Employers in relation to the management of Vehicle Factory, Jabalpur and their workman Shri Bhondur Compressor Attendant 'B' R/o Village Karondi, H. No. 46, Near COD Gate, Jabalpur (M.P.)

#### APPEARANCES :

For Workman—Shri S. Nair, Advocate

For Management—Shri A. K. Chaube, Advocate.

INDUSTRY : Vehicle Factory DISTRICT : Jabalpur (M.P.)

#### AWARD

Dated : July 17, 1987.

This is a reference made by the Central Government in the Ministry of Labour vide Notification No. L-14012(2)/84-D.II(B), Dated 6th September, 1984 for adjudication of the following dispute:—

"Whether the action of the management of Vehicle Factory, Jabalpur in dismissing Shri Bhondur Compressor Attendant 'B' with effect from 17-3-83 from service is justified? If not, what relief the workman concerned is entitled?"

2. The case of the management is that Security Officer of the Factory vide report dated 17-12-1981 has reported that on 14-12-1981 Shri Bhondur was wearing sweater of Shri Suresh Kumar Sharma of this factory which was stolen from the locker of Shri Sharma on 10/11-4-1981. It has also been reported that Shri Bhondur had stolen Rs. 50 of Shri Sharma and a wrist watch of Shri Maqsood Ahmad from another locker. Shri Bhondur in his statement dated 14-12-1981 recorded in the presence of Shri K. K. Kakkar, Assistant Foreman/MM Section of this factory admitted that he had entered in Plant IV, opened the locker and taken out a sweater and cash from the locker of Shri Sharma. The sweater was confiscated and sealed under the signature of Shri Bhondur and Shri K. K. Kakkar. Shri Bhondur was also prepared to return the amount of Rs. 50 to Shri Sharma.

3. Based on the above report he was placed under suspension with effect from 20-12-1981 and was charge-sheeted for gross misconduct—

(1) unauthorised entry in Plant IV when closed;

(2) Breaking the lockers of Plant IV employees and theft of personal properties (sweater, money and watch etc.) from the lockers—Conduct unbecoming of a government servant.

4. The domestic enquiry was instituted. Enquiry Officer found the charges proved. Thereafter penalty of dismissal from service with effect from 17-3-1983 was imposed upon. His appeal was also rejected. The enquiry was conducted after following the procedure laid down under Rule-14 of C.C.S. ((C.C.A.) Rules.

5. The workman has challenged the legality and propriety of the domestic enquiry on the following grounds amongst others:—

- (1) That the findings of the Enquiry Officer are perverse and opposed to evidence;
- (2) There was no evidence before the Enquiry Officer to come to the conclusion that the sweater of Shri S. K. Sharma was stolen by the applicant;
- (3) That the Enquiry Officer mainly relied on the alleged admission to the workman;
- (4) That the defence counsel appearing on behalf of the applicant had requested that reports made by Shri Maqsood Ahmad and Sadan Kumar Rai be made available. But the same were not furnished to him;
- (5) That the Enquiry Officer violated all the principles of natural justice;
- (6) That the action of the General Manager was also arbitrary and without application of mind and the punishment imposed was excessive.

6. I framed the following issues which with my reasons and findings are as under:—

#### ISSUES

1. Whether the enquiry is proper and legal?
2. If not, whether the termination of the workman is justified on facts of the case?
3. Whether the punishment awarded is proper and legal?
4. Relief and costs?

#### FINDINGS WITH REASONS:

7. Issue Nos. 1 to 4.—Management has not asked for an opportunity to prove misconduct before this Tribunal, therefore I proceed to decide all the issues together.

8. I have gone through the enquiry papers and I find that the workman has been hampered in his defence because he was not furnished with the copies of various reports and statement. Shri K. K. Kakkar, Asst. Foreman, in his statement dated 26-10-1981 has stated that he was called on by the Security Officer on phone and then when he reached there he was told by Foreman Security that your man has been caught here in connection with the theft case and he has given a written statement and asked to sign it. He read the statement explained the contents to Shri Bhondhu and on his affirmation that the statement is true he signed it. He has also admitted that the statement written by Shri Bhondhu was not recorded in his presence. It was recorded before he had reached. This goes to show that the initial admission, if any, was not made in his presence and secondly the alleged admission of theft was reduced into writing. But no such writing has been produced or proved and copy of the same has also not been furnished to the workman. This alone, to my mind, is sufficient to vitiate the domestic enquiry.

9. Similarly Sadan Kumar Rai has stated that he had reported the matter through Foreman to one Shri Khan whose name is not known to him. Defense Counsel requested for this report but it was not furnished to him, though the case was adjourned for the same. Similarly Shri Suresh Kumar Sharma had stated that he had made the written report of theft to Security Office directly. The Defence Counsel requested for its copy, but it was not applied to him. These were material documents on which he could have built up his defence.

10. Otherwise also the evidence on record is contradictory and not conclusive. The statement of Gulam Rasool is that on 11th April, 1981 Shri Sadan Kumar Rai reported to 712 GI/87—12.

him that his locker was opened in the night of 9/10th April, 1981 and his sweater and cash of Rs. 50 was missing. On the same day one Shri Maqsood Ali reported that his wrist watch had been stolen. On 14th December, 1981 S/Shri Suresh Kumar Sharma, Din Dayal and Sadan Kumar Rai came with Shri Bhondhu and stated that the sweater which Shri Bhondhu was wearing is the same which was stolen from the locker of Shri Sadan Kumar Rai. He took the statements including that of Shri Bhondhu. In his statement Bhondhu had admitted that he had opened the locker of Shri Sadan Kumar Rai in the night of 10th April, 1981 and had stolen the sweater and cash Rs. 50 etc. In this connection it is pertinent to note that the allegations were that the sweater and cash of Rs. 50 were stolen from the locker of Shri Suresh Kumar Sharma and not of Shri Sadan Kumar Rai as this witness has stated. In the circumstances, the allegation of the so called confession of theft of the sweater of Shri Suresh Kumar Sharma is not proved from the statement of this witness. From the statement of this witness it also appears that in fact some other persons of the security office were involved in taking down the alleged confessional statement of Bhondhu and at that time he was in fact doing some other work at a distance of about 12 ft. from there. The material witness who directly took down the alleged confessional statement have been kept away from the enquiry, raising an adverse inference.

11. The statement of Shri Sadan Kumar Rai is that he was on duty when Shri Suresh Kumar Sharma came and told that someone is wearing his sweater, then they went and caught him and informed their Incharge, Asst. Foreman, Shri K. K. Kakkar. He told them to report to the Station Officer so they took Mr. Bhondhu to the Station Officer. When he was asked from where he got the sweater he said that he had purchased the same for Rs. 25 from Ranjhi. When he was further investigated then he admitted that he took the sweater and Rs. 50 from the locker. He promised to refund Rs. 50 as well. What he means by further investigation is not made clear. In any case, it appears that the workman had not confessed in the beginning unless and until some further action was taken against him. Contrary to this, as already pointed out, Shri K. K. Kakkar, Asst. Foreman, does not support him on the point that the matter was reported to him. He in fact according to him was called on telephone from the Security Office.

12. The statement of Din Dayal is that in fact he had identified the sweater which Shri Bhondhu was wearing and that it is the same which was stolen so he informed Shri Suresh Kumar Sharma. Thereafter Mr. Suresh Kumar Sharma and one Mr. Yadav went to verify and reported that it was the same. Bhondhu was therefore, brought to Plant IV and then to Security Office, Gate No 3. He himself did not go to Security Office. But in his statement dated 24-12-81 he had stated that they took the person to Security office and it was then they came to know his name viz. Bhondhu Lal. In any case, from the statement of this witness the so called confession is not proved.

13. Then thereafter is the statement of Shri Maqsood Ahmad. His version is that his one watch and two glasses were stolen. He came to know that one person who was wearing the sweater of Shri Suresh Kumar Sharma has been caught and taken to Security office for investigation. He went to the Security Office and gave an application to verify about his stolen articles. Thereafter Bhondhu accepted the charge of having stolen his articles before the Foreman Security. Now this application of his also is neither produced or proved nor its copy has been furnished to the defence. Foreman (Security) Shri Gulam Rasool or any other witness do not support his story regarding the confession of Bhondhu about the theft of articles of Shri Maqsood Ahmad as well. Therefore his statement is worthless.

14. Last is the statement of the complainant, Shri Suresh Kumar Sharma. Now he himself does not support the story told by Shri Sadan Kumar Rai and Shri Din Dayal. He simply says that on 14-12-1981 he had reported one sweater (he does not say about Rs. 50). He found the sweater with Bhondhu Lal though he did not know him from

before, Bhondu Lal accepted the theft of his sweater. This is all what he has stated in his examination-in-chief. He has not used the exact word in which Bhondu confessed the theft. He also does not say when, where and in whose presence he had confessed the theft of his sweater.

15 Evidence shows that sweater was confiscated and sealed but it was not got identified by witnesses to establish the identity that it belonged to Mr. Suresh Kumar Sharma. Defence was also deprived an opportunity to cross-examine witnesses on its basis.

16 For the reasons discussed above, I find that the findings of the Enquiry Officer were not based on legal evidence and findings are perverse. In his enquiry report he observed as under:—

"Going through the statement of prosecution witnesses and other documents it is established that Shri Bhondu had entered Plant No. IV when closed."

17. Now firstly there is not an iota of evidence on this point. No one had seen Bhondu enter Plant No. IV when closed. No doubt from the recovery of stolen property presumption can be raised that he is either a thief or receiver of stolen property but no presumption of house breaking can be made on the recovery of stolen property. Secondly he has specifically stated that going through other documents it is established but the record does not show that any documents were produced and proved. So if he perused certain documents behind the back of the workman and his defence counsel it is enough to vitiate the trial. I, therefore, hold that the enquiry is neither legal nor proper and the findings are perverse. From the evidence on record the punishment of termination awarded is not justified. Enquiry thus stands vitiated. I, therefore, need not consider the legality and propriety of the punishment awarded. I decide these issues accordingly. The question remains about the relief and costs.

18. Normally once the Tribunal comes to a finding that the enquiry is vitiated the workman is entitled to reinstatement with full back wages. Management has to allege and prove to the contrary that the case is an exception to the general rule. In the instant case management has neither alleged or proved that they have lost confidence in the workman and he was gainfully employed elsewhere. In the case of Binni Ltd. and their workman (1972 SCIT p. 214) it has been held:—

"It has become almost a settled principle that reinstatement should not be awarded where the management justifying alleges that they have ceased to have confidence in the dismissed employee. In other cases the Tribunal must consider carefully the circumstances of the case to come to a finding that justice and fairly require that reinstatement should be awarded."

In the case of Binni Ltd (supra) there was no allegation that the management had lost confidence in the delinquent respondent. Same is the case in the present one. I have discussed evidence against the workman and I am of the opinion that the evidence on record does not justify that the reinstatement should be refused specially when the management has not alleged or proved any circumstances. The previous conduct alleged in the pleading before this Tribunal was also not in evidence during the domestic enquiry or was considered for punishment before the disciplinary authority. I am, therefore, of the opinion that the workman is entitled to be reinstated with full back wages and all ancillary reliefs.

For the reasons discussed above I answer the reference as under:—

That the action of the management of Veli I Factory Labour in dismissing Shri Bhondu Compressor Attendant 'B' with effect from 17-3-1983 from service is not justified. He is, therefore, entitled to be reinstatement with full back wages and all ancillary benefits. No order as to costs.

V. S. YADAV Presiding Officer

[No. I-14012/2/84-D.II(B)]

नं. था. 2171.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय खाद्य निगम, संगरूर के प्रबंधन से सम्बद्ध नियोजकों और उनके कामकारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23 जुलाई, 1987 को प्राप्त हुआ था।

S.O. 2171.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Chandigarh, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Food Corporation of India, Sangrur and their workmen, which was received by the Central Government on the 23rd July, 1987.

BEFORE SHRI M. K. BANSAL, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—  
CUM-LABOUR COURT, CHANDIGARH

Case No. I. D. 9/87

#### PARTIES:

Employers in relation to the management of Food Corporation of India, Punjab Region, Chandigarh.

#### AND

Their workman: Karam Singh.

#### APPEARANCES:

For the Employers: Shri N. K. Zakhmi.

For the Workman: Shri P. K. Singla.

INDUSTRY: FCI.

STATE: Punjab.

#### AWARD

Dated, the 16th July, 1987

Vide Central Government notification No. 31(31)/86-Con. I/D.II(B) dated 3rd February, 1987 issued under Section 10 of the Industrial Disputes Act 1947, the following dispute was referred to this Tribunal for adjudication:

"Whether the action of the management of Food Corporation of India in denying the regularisation of services of Sh. Karam Singh, Watchman, Food Corporation, Food Storage Depot, Sangrur as Head Watchman and payment of wages as prescribed for Head Watchman w.e.f. 28-1-85 is justified? If not, to what relief is Shri Karam Singh entitled to and from what date?"

2. The facts relevant are that Karam Singh was working as Watchman in Food Storage Depot, Sangrur Branch of FCI. He was senior most watchman in that place. The post of Head Watchman was lying vacant. This man was deployed as Head Watchman w.e.f. 28-1-1985 but he was not given wages for the post of Head Watchman. Workman claimed reference alleging therein that as post of Head Watchman was lying vacant so workman should be regularised on the above post. That he is also entitled to pay as Head Watchman from 28-1-1985 onward.

3. The management in their reply alleged that workman was promoted as Head Watchman w.e.f. 28-1-1985 at his own request for the purpose of effecting proper check of watch and ward staff. That he was deployed vide office order No. 106 at his own request as contained in Annexure I. That workman has no right to claim regularisation because Assistant Manager or District Manager is not competent to promote watchman to post of Head Watchman. That only Regional Office is competent to promote watchman to the post of Head Watchman that to on the basis of seniority list of the region concerned. That workman having been posted as Head Watchman at his own request is not entitled to pay of the said post as workman has undertaken not to claim wages for the post of Head Watchman.

4. In re-application the facts were denied. No plea was raised that writing annexure I was obtained from the workman under threat or duress at any time after his promotion on 28-1-1985.

5. I have heard the parties and gone through the file. The reference involves two points. First whether workman has a right to claim regularisation on the post of head watchman. It admitted before me that Assistant Manager or District Manager has no right to promote watchman to the post of Head Watchman. This proposition that promotion to the post of Head Watchman can only be made at the regional level on the basis of the seniority list maintained at the regional level was not disputed. In the present case it is admitted that workman was never promoted as Head Watchman by the regional office. So workman I am of the view can not claim regularisation on the post of Head Watchman simply on the basis that he is working as head watchman since 28-1-1985. Workman has adduced no evidence that as per seniority list maintained in the Regional Office he has a right to get promotion. So point whether workman is entitled to be promoted as Head watchman as per seniority list of the region can not be decided in favour of the workman for want of evidence.

6. Now the next point is whether workman can get pay for the post of H. Watchman or not. One point in dispute is whether the undertaking dated 28-1-1985 copy W2 was got signed from the workman under duress or not. As in replication there is no plea that it was got signed under duress. So I am of the view that the said plea of the workman can not be accepted. This fact that W2 was obtained from the workman under duress should have been pleaded by workman at least in the claim petition or replication which has been placed on the file. That fact that workman will have giving some thing in written while being posted as head watchman is also evident from the order dated 28-1-1985 copy W3 which is as under :

"Due to shortage of Head Watchman in the depot, Shri Karam Singh is deployed as Head Watchman with immediate effect being senior most watchman in the depot. No deployment allowance will be admissible as he has been deployed at his own request."

7. Perusal of the above show that workman was employed as Head Watchman at his own request which must be in writing. So contention of the workman that letter was obtained from him under duress or threat can not be accepted merely on the ground that on W2 there are signatures of M. L. Sethi dated 11-1-1986 which are only to show that contents have been verified later on.

8. Now the next point to be determined is whether workman should get pay or not. It is admitted that workman has worked on the post of Head Watchman from 28-1-1985 upto date. It is also evident from W3 that there is shortage of head watchman in the depot. There is no evidence that any effort was made at the regional office to promote watchman to the post of Head Watchman. As workman has worked in this post for a long period so I am of the view that he should get allowance for the above post. Merely on the ground that workman gave in writing that he will not claim deployment allowance as head watchman, his claim should not be denied. In this country workman are at the disadvantage. Their bargaining power is much less. They can be forced to give anything in writing at the time of seeking employment or promotion. It is also cardinal principle that one should be paid the wages for the post on which he made to work not for one or two months on temporary basis but for a continuous period running in years. In the present case workman has worked on this post since 28-1-85 without any effort on the part of the FCI to promote the persons to the post of H. Watchman. So I am of the view that workman should get pay for the above post.

9. As a result of my discussion above it is held that workman having been promoted by Asstt. Manager of the depot to the post of Head watchman has no right to get his services regularised. The workman having worked on the above post is entitled to pay of the above post from 28-1-85. Reference in a way is answered partly in favour of the workman and partly in favour of the FCI/Corporation.

Chandigarh,  
16-7-87.

M. K. BANSAL, Presiding Officer  
[No. L-31/31/86-Con.I/D.II(B)]

नई दिल्ली, 6 अगस्त, 1987

का० आ० 2172.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारत सरकार पुरानावा, नीलकेशरी के इन्धनत्रय में सम्बद्ध निवाजको और उनके कर्मचारियों के बीच, अनुबन्ध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार अधिकरण, चन्द्रीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17 जुलाई, 1987 को प्राप्त हुआ था।

New Delhi, the 6th August, 1987

S.O. 2172.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Government of India Press, Nilokheri and their workmen, which was received by the Central Government on the 17th July, 1987.

BEFORE SHRI M. K. BANSAL, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 64/86

PARTIES :

Employers in relation to the management of Government Press (Central), Nilokheri, Haryana.

AND

Their workman Surinder Kumar.

APPEARANCES :

For the workman—Shri P. D. Pathak.

For the Employers—Shri T. S. Chawla.

AWARD

Dated 10th July, 1985

Vide Central Government notification No. L-16012/1/86-D, II(B) dated 13th December, 1986 issued under Section 10(1)(d) of the Industrial Disputes Act, 1947, the following dispute was referred to this Tribunal for decision :

"Whether the action of the management of Government of India Press, Nilokheri, in dismissing Shri Surinder Kumar-I, Compositor Grade II at the Government of India Press, Nilokheri, Haryana from service is legal and justified? If not, to what relief is the workman concerned entitled?"

2. The case of the workman is that he was appointed as compositor Grade II by Government of India Press, Nilokheri on 10th June, 1963 and was confirmed on 1st July, 1966 on the said post. That on 15th September, 1976 workman received a charge sheet which was mislaid by him. That workman wrote a letter dated 28th September, 1976 informing the management about the loss of the charge sheet and requesting them to supply a fresh copy. But no such copy was supplied by the management. That an exparte inquiry was held. That letters fixing the date of enquiry were never received by him. That show cause notice imposing the penalty

was also not received by the workman. That copy of charge sheet or intimation about the date of inquiry was not given to the workman though he attended the office up to 10th September, 1977. That on the basis of the above inquiry services of the workman have been terminated w.e.f. 27th March, 1978. So workman challenged the above order of management alleging therein that same is void and bad having passed without any proper inquiry.

2. The management in their reply alleged that present reference is liable to be dismissed on the ground of delay and laches because the order of dismissal was passed on 27th March, 1978. On merits it was alleged that as workman remained absent from 1st February, 1976 onwards for 8-1/2 months so the charge sheet was served which was received by the workman on 20th September, 1976. That the inquiry officer, presenting officer were appointed. That intimation was sent to the workman by Regd. post on 7th October, 1976. That the same was acknowledged by the workman vide his letter dated 10th October, 1976. That reply to the same was sent on 21st October, 1976. That inquiry officer also sent a letter dated 13th October, 1976 fixing the date of inquiry as 28th October, 1976. That copy of the inquiry proceedings dated 28th October, 1976 was also sent to the workman by regd. post A.D. which was received by Mr. Pradeep Kumar on behalf of the workman. That copy of the inquiry proceedings dated 17th November, 1976 were sent by Regd. A.D. post on the same date and were received by Shashi on behalf of the workman. That due to absence of the workman, the inquiry was held ex parte, the charges were proved. That a show cause notice proposing to impose the penalty of removal from service was sent to the workman on 6th January, 1977 by Regd. A.D. post. That it was received by the workman on 7th January, 1977. That as no reply was sent so a reminder was issued on 15th February, 1977. That letter was received back with the report that person at the residential address of workman refused to disclose his address. That another reminder was issued on 8th/23rd March, 1977 same was also received back with the report of refusal. That thereafter the workman was removed from service. That workman never attended the duty during the period of inquiry. That all leave applied for by the workman stood refused as there was none to his credit. That first letter dated 13th October, 1976 fixing the date of inquiry as 28th October, 1976 was received by the workman. That subsequent letters were received by other member of his family. That workman avoided to receive the official communication thereafter. That show cause notice dated 6th January, 1977 was received by the workman. So it was alleged that termination of the services of workman is valid as he was removed after holding proper inquiry. It was also alleged that workman has no right to maintain the claim in view of his application dated 8th April, 1978 whereby he resigned from the job.

4. Parties were called upon to adduce evidence. On behalf of the workman his affidavit Ex. W1 was tendered and he also appeared for cross-examination. On behalf of the management Jaaran Arya appeared as MW 1 and produced his affidavit M 1 and also examined Shri T. A. Chawla. Inquiry file was also produced in evidence.

5. I have heard the parties and gone through the file. It is not disputed that workman was removed from service on the basis of inquiry which is ex parte. According to the workman when he misplaced the charge sheet and asked for its copy then the same was not supplied to him so he could not appear. To support the above view workman placed reliance on admission of T.S. Chawla, Asstt. Manager who admitted that letter dated 28-9-76 was received from the workman wherein he demanded another copy of the charge sheet. It is also admitted by him that it was not supplied. This admission shows that workman did receive first copy of charge sheet but he asked for the second copy which according to workman was due to him, due to misplacement of the first copy. When workman had misplaced of the first copy of the charge sheet, the management was supposed to supply the copy of the charge sheet to the workman so that he could prepare his defence but the same was not supplied

to the workman. In the absence of the above it will be held that workman was not given copy of the charge sheet and he will be deemed to be prejudiced in the inquiry.

6. It is also admitted by the management that workman was intimated the proceedings of every date by the letters sent by Regd. post. The letters are alleged to have received by Pradeep Kumar and Shashi. It is also admitted by Shri T. S. Chawla that none of them are family member of the workman family. That there is list family member of the workman on their record. That name of the above person does not find mentioned in the same. This also shows that though copy of the proceedings of the inquiry were sent to the workman at his residential address but these were not received by him or his family member. It is for the management to prove that proper inquiry was held which management will be held to have not been able to prove due to the fact that copy of the charge sheet when asked for was not supplied. The copy of the proceedings sent are not proved to have been delivered to the workman or to any of his family member. It is also evident from the perusal of the inquiry file that workman was given intimation by the inquiry officer vide letter dated 13-10-1976 for the date 28-10-1976. On the said date workman was not present. One Ashi Lal produced the record and inquiry was adjourned for evidence of the workman to 17-11-1976. For the date workman was intimated by regd. post A. A. On that day workman did not appear. So inquiry was decided in ex parte. So it appears that in inquiry there was no evidence except production of the documents by a clerk. So inquiry report will be deemed to have been given on the basis of no evidence. As a result of my above discussion above I am of the view that inquiry in the present case could not be held to be valid inquiry and order of dismissal passed on the basis of the same can not be sustained.

7. The contention of the management to the fact that as workman failed to appear in the inquiry in spite of opportunity so it should be held that it is proper inquiry can not be accepted. Inquiry does not appear to be proper because copy of charge sheet whenever asked for was not supplied. No evidence was recorded in the inquiry. The file produced by Ashi Lal was admitted in evidence without any formal proof. Absence of the workman in the inquiry does not show that allegations of the department stands admitted. Some evidence had to be there before the inquiry officer for coming to the conclusion that charges are proved. But it is a case where there is no evidence. So it is held that order of termination is void as it was passed on the basis of the inquiry report which is in violation of the principal of natural justice.

8. Now the second point is that what is the effect of workman tendering the resignation from the post. Admittedly the resignation was tendered in April 1978 i.e. after the passing of the termination order, said have not been accepted. So it will have no effect.

9. Now the next question is as to what is the effect of the reference being stale. It is true that workman was removed from service in March 1978. He did not move for reference which raised on 6-11-1984 i.e. after lapse of 6 years, so reference is stale. I am of the view that re-instatement should not be refused on this ground and effect can be that claim of workman for back wages should be refused on this ground. So workman is held to be entitled to re-instatement without any claim for back wages.

19. As a result of my above discussion it is held that order of termination is void and bad. He is entitled to re-instatement without any back wages. In a way reference is answered in favour of the workman.

Chandigarh  
10-7-1987

M. K. RANSAL, Presiding Officer,

[No. L-16012/1/86-D: II (B)]

HANU SINGH, Desk Officer